# ST. CHARLES PARISH PLANNING BOARD OF COMMISSIONERS May 4, 2023 6:00 P.M.

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

- 2023-9-HOP requested by <u>Amy Candies</u> for a home occupation "Amy Candies Salon" at <u>217 St. John Street, Luling.</u> Council District 7. . Requires Commission approval.
- 5 <u>2023-10-HOP</u> requested by <u>Allie McGuire</u> for a home occupation "Cammeo" (a salon) at <u>303 Evelyn Drive, Luling.</u> Council District 2. . Requires Commission approval.
- 9 <u>2023-11-HOP</u> requested by <u>Kristy Bourgeois</u> for a home occupation "Salon IG" at <u>828 Evangeline Road, Montz.</u> Council District 6. . Requires Commission approval.
- 13 <u>2023-12-HOP</u> requested by <u>Megan Muskevitsch</u> for a home occupation "The Geaux Cup" (a mobile bartending service) at <u>1 Palmer Drive, Luling.</u> Council District 2. . Requires Commission approval.
- 20 <u>2023-3-MIN</u> requested by <u>Leonard Hafford</u> for a resubdivision of one lot into two, <u>741 Grand Bayou Road</u>, <u>Bayou Gauche</u>. Zoning District O-L. Council District 4. Requires Commission approval.
- 28 <u>2023-6-R</u> requested by <u>Debra Dufresne Vial for Esperanza Land, LLC & Hank Tatje for T Times 4, LLC</u> for a change of zoning from M-2 to M-1 on Lots 12 thru 19, Esperanza Business Park Phase 2, <u>Deputy Jeff G. Watson Drive, Luling</u>. Council District 1. Requires Planning Commission approval and Council consideration.

UNFINISHED BUSINESS-NEW BUSINESS-MINUTES – ADJOURN-

Alternate Date: May 11, 2023



## Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-9-HOP

### **APPLICATION INFORMATION**

Applicant & Business Location

Amy Candies 217 St. John Street Luling, LA 70070 504.583.0437 amymco3@yahoo.com

### **BUSINESS INFORMATION**

Name & Description: Amy Candies Salon – a hair salon

Licensing & Permits: Louisiana Board of Cosmetology

Vehicles & Equipment: standard salon equipment

### SITE INFORMATION

Current Use: single-family house

Surrounding Zoning & Uses

The site is located in a developed residential subdivision under R-1A, Single Family Residential zoning.

Traffic Access & Parking

The house is developed with a driveway providing access to St. John Street. It provides enough parking to accommodate the required two (2) spaces for a single family home plus any customers.

Utilities: standard utilities are available

### **APPLICABLE REGULATIONS**

### Appendix A. Section XXII. - Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. Permit Process:
  - 1. <u>Pre-Application Meeting</u>: The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
  - 2. <u>Application</u>: A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
  - 3. <u>Departmental Review</u>: The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
  - 4. Public Notice and Comment:
    - a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10 days with a sign stating that the resident has applied for a permit to operate a home occupation and that the

- Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
- b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
- 5. <u>Determination</u>: The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
  - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
  - c. Deny the application.

### C. Operational Regulations:

- 1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
- 2. There shall be no signs posted which indicate the existence of the home occupation.
- 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes—this includes, but is not limited to picking up work assignments, materials, or payment.
- 4. There shall be no outdoor storage of materials or products on the premises.
- 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
- 6. The home occupation shall not eliminate or impede required off-street parking.
- 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
- 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License"; Department of Health and Hospitals; and other state or federal permits or licenses.
- 9. No alcoholic beverages shall be sold, offered, or provided in a commercial capacity in the home where the occupational license is held, in connection with the operation of a home occupation.
- 10. Home occupation permits are not transferrable as to person or location.
- 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.
- D. Revocation of Home Occupation Permit:
  - 1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
  - 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
  - 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.
- E. *Appeal:* Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

### **FINDINGS**

The applicant requests a permit to domicile Amy Candies Salon, a hair salon, at her residence located at 217 St. John Street, Luling.

The request comes before the Planning Commission because it requires a license from the Louisiana Board of Cosmetology (License No. L775321010).

Applicant states that the salon will be located in the garage.

The applicant has been advised in order to obtain the occupational license for the business, the building must meet code requirements of several agencies, including:

- State Fire Marshal
- Parish Building Official
- Cosmetology Board

The Louisiana State Cosmetology Board online database shows the property owner holds a Type C license to practice cosmetology, but does not show a shop license for the property owner or the address.

### **DEPARTMENT RECOMMENDATION**

Staff recommend approval with the following stipulations:

- Clients scheduled by appointment only with no overlap and no walk-ins.
- Provide certification the salon meets Life Safety Code, Louisiana State Uniform Construction Code, and requirements of the Cosmetology Board.

may 4th meeting

Page 1 of 2



Permit/Case #: \_\_

### St. Charles Parish Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057 Phone (985) 783-5060 • Fax (985) 783-6447 www.stcharlesparish-la.gov

Permit/Case #: 2023-9-1401
Receipt #:
Application Date: 3/28/23
Zoning District:
FLUM Designation:
Date Posted:

### APPLICATION FOR HOME OCCUPATION PERMIT

Administrative: \$25 State or Federal Permits/Licenses Required: \$200

<u>Home Occupation</u>: A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.

Applicant: Amy Covery Candi	
Home address: 27 St. John Stre	et Luling LA 7007
Mailing address (if different):	
Phone 504) 583-0437 Email: 0	mymco32 yahoo com
Property owner: Bourset and Ami	Cardies
Name of proposed business: Amy Candies	Salon
Are state or federal permits/licenses required for your proposed business?	YES / NO
If yes, please list the agency/office involved: Louisland	State Board of Cosmetal
Description of proposed business/business-related activities:	r Salon
How many people will be employed by the proposed business?  Please list all vehicles/trailers associated with your proposed business, includes where each will be parked/stored. Pictures of each vehicle/trailer must also	
What materials and equipment will be used in the proposed business? What	ere will these items be stored?
Salon equiptments as	nd products
If the applicant does not own the property, the property owner(s) must sapproval/understanding of the proposed business.	ign and notarize below to indicate their
(Property owner - Signature) (Da	te)
(Property owner – Print Name)	
(Notary signature & seal) (Da	re)

3

### 2023-9-HOP Amy Candies Salon







## Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-10-HOP

### **APPLICATION INFORMATION**

Applicant & Business Location

Allie McGuire 303 Evelyn Drive Luling, LA 70070 504.416.1130 allieaucoin@hotmail.com

### **BUSINESS INFORMATION**

Name & Description: Cammeo – a hair salon

Licensing & Permits: Louisiana Board of Cosmetology

Vehicles & Equipment: standard salon equipment

### SITE INFORMATION

Current Use: single-family house

Surrounding Zoning & Uses

The site is located in a developed residential subdivision under R-1A, Single Family Residential zoning. An R-3, Multi-Family zoning district is adjacent to the rear.

Traffic Access & Parking

The house is developed with a driveway providing access to Evelyn Drive. It provides enough parking to accommodate the required two (2) spaces for a single family home plus any customers.

Utilities: standard utilities are available

### APPLICABLE REGULATIONS

### Appendix A. Section XXII. - Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. Permit Process:
  - 1. <u>Pre-Application Meeting</u>: The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
  - 2. <u>Application</u>: A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
  - 3. <u>Departmental Review</u>: The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
  - 4. Public Notice and Comment:
    - Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10 days with a sign stating that the resident has applied for a permit to operate a home occupation and that the

- Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
- b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
- 5. <u>Determination</u>: The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
  - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
  - c. Deny the application.

### C. Operational Regulations:

- 1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
- 2. There shall be no signs posted which indicate the existence of the home occupation.
- 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes—this includes, but is not limited to picking up work assignments, materials, or payment.
- 4. There shall be no outdoor storage of materials or products on the premises.
- 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
- 6. The home occupation shall not eliminate or impede required off-street parking.
- 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
- 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License"; Department of Health and Hospitals; and other state or federal permits or licenses.
- 9. No alcoholic beverages shall be sold, offered, or provided in a commercial capacity in the home where the occupational license is held, in connection with the operation of a home occupation.
- 10. Home occupation permits are not transferrable as to person or location.
- 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.
- D. Revocation of Home Occupation Permit:
  - 1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
  - 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
  - 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.
- E. *Appeal:* Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

### **FINDINGS**

The applicant requests a permit to domicile Cammeo, a hair salon, at her residence located at 303 Evelyn Drive, Luling.

The request comes before the Planning Commission because it requires a license from the Louisiana Board of Cosmetology (License No. L794170327).

Applicant states that the salon will be located in the garage.

The applicant has been advised in order to obtain the occupational license for the business, the building must meet the code requirements of several agencies, including:

- State Fire Marshal
- · Parish Building Official
- Cosmetology Board

The Louisiana State Cosmetology Board online database shows that the property owner holds a Type C license to practice cosmetology, but does not show a shop license for the property owner or the address.

### **DEPARTMENT RECOMMENDATION**

Staff recommend approval with the following stipulations:

- Clients scheduled by appointment only with no overlap and no walk-ins.
- Provide certification the salon meets Life Safety Code, Louisiana State Uniform Construction Code, and requirements of the Cosmetology Board.



### St. Charles Parish **Department of Planning & Zoning**

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057 Phone (985) 783-5060 • Fax (985) 783-6447 www.stcharlesparish-la.gov

Permit/Case #:	2003-10-1601
Receipt #:	
Application Dat	e: <u>7/3/2/23</u>
Zoning District:	•
FLUM Designat	lon:
Date Posted:	

### **APPLICATION FOR HOME OCCUPATION PERMIT**

	Administrative: \$				
	State or Federal Permits/Licenses Required: \$2.  Home Occupation: A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the				
	essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.				
	Applicant: Allie McGuire	<del>-</del>			
	Home address: 303 EVELYN DC	_			
	Phone: 504-416-1130 Email: allicaucoin@hotma	- il.Com			
	Property owner: Kyan and Allie McGuire	<del>-</del>			
	Name of proposed business: UNKNOWN	M-us			
	Are state or federal permits/licenses required for your proposed business?	0			
	If yes, please list the agency/office involved: Louisiana Board of!  Cosmetology				
	Description of proposed business/business-related activities: Service Clients While Deing available for my family	<del>-</del>			
		_			
	How many people will be employed by the proposed business?				
	Please list all vehicles/traliers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied.  2019 Atlas Volkswagon				
	What materials and equipment will be used in the proposed business? Where will these items be stored?  Shampoo Station, Dryer Chair, Blow dryer,  Shears, All indoors, in Salon area				
	•	<b>-</b>			
	If the applicant does not own the property, the property owner(s) must sign and notarize below to indicate their approval/understanding of the proposed business.	<del>-</del>			
and CDONALO	allie 0. McJuie 3-30-23 (Date)	_			
TOTARY PUBLICA	Allie A. McGuire				
No.	3 30 203 ((North & seal)	_			
ODONALO OTARY PUBLIC OTARY PUBL	Page 1 of	2			







## Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-11-HOP

### **APPLICATION INFORMATION**

Applicant & Business Location

Kristy Bourgeois 828 Evangeline Road Montz, LA 70068 504.234.5872 kdelatte@rocketmail.com

### **BUSINESS INFORMATION**

Name & Description: Salon IG – a hair salon

Licensing & Permits: Louisiana Board of Cosmetology

Vehicles & Equipment: standard salon equipment

### SITE INFORMATION

Current Use: single-family house

Surrounding Zoning & Uses

The site is located in a developing residential neighborhood under R-1A zoning. O-L zoning is adjacent to the rear.

Traffic Access & Parking

The house is developed with a driveway providing access to Evangeline Road. It provides enough parking to accommodate the required two (2) spaces for a single family home plus any customers.

Utilities: standard utilities are available

### **APPLICABLE REGULATIONS**

### Appendix A. Section XXII. - Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. Permit Process:
  - 1. <u>Pre-Application Meeting</u>: The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
  - 2. <u>Application</u>: A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
  - 3. <u>Departmental Review</u>: The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
  - 4. Public Notice and Comment:
    - a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10 days with a sign stating that the resident has applied for a permit to operate a home occupation and that the

- Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
- b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
- 5. <u>Determination</u>: The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
  - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
  - c. Deny the application.

### C. Operational Regulations:

- 1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
- 2. There shall be no signs posted which indicate the existence of the home occupation.
- 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes—this includes, but is not limited to picking up work assignments, materials, or payment.
- 4. There shall be no outdoor storage of materials or products on the premises.
- 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
- 6. The home occupation shall not eliminate or impede required off-street parking.
- 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
- 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License"; Department of Health and Hospitals; and other state or federal permits or licenses.
- 9. No alcoholic beverages shall be sold, offered, or provided in a commercial capacity in the home where the occupational license is held, in connection with the operation of a home occupation.
- 10. Home occupation permits are not transferrable as to person or location.
- 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.
- D. Revocation of Home Occupation Permit:
  - 1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
  - 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
  - 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.
- E. *Appeal:* Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

### **FINDINGS**

The applicant requests a permit to domicile Salon IG, a hair salon, at her residence located at 828 Evangeline Road, Montz.

The request comes before the Planning Commission because it requires a license from the Louisiana Board of Cosmetology (License No. L883711119).

Applicant states that the salon will be located in the garage.

The applicant has been advised in order to obtain the occupational license for the business, the building must meet the code requirements of several agencies, including:

- State Fire Marshal
- · Parish Building Official
- Cosmetology Board

The Louisiana State Cosmetology Board online database shows that the property owner holds a Type C license to practice cosmetology, but does not show a shop license for the property owner or the address.

### **DEPARTMENT RECOMMENDATION**

Staff recommend approval with the following stipulations:

- Clients scheduled by appointment only with no overlap and no walk-ins.
- Provide certification the salon meets Life Safety Code, Louisiana State Uniform Construction Code, and requirements of the Cosmetology Board.



### St. Charles Parish Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057 Phone (985) 783-5060 • Fax (985) 783-6447 www.stcharlesparish-la.gov

2227
Permit/Case #: 2023-11-HOF
Receipt #:
Application Date: 3/31/23
Zoning District: 21 A
FLUM Designation:
Date Posted:

#### APPLICATION FOR HOME OCCUPATION PERMIT

Administrative: \$25 State or Federal Permits/Licenses Required: \$200

Home Occupation: A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.
Applicant: Kristy Bourgeois  Home address: 828 Evangeline Road Montz, (A 70018
Mailing address (if different):  Phone: 504-234-5872  Property owner: Kristy Bourgeois  Name of proposed business:
Are state or federal permits/licenses required for your proposed business?  VES) NO  If yes, please list the agency/office involved: LOUISIANA STATE BOARD OF COSMICTORY
Description of proposed business/business-related activities: #CIR
How many people will be employed by the proposed business?  Please list all vehicles/trailers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied
What materials and equipment will be used in the proposed business? Where will these items be stored?  COOV  NUV CVULV  Shumpoo bood
Street   Signature   Content to the property, the property owner(s) must sign and notarize below to indicate their approval/understanding of the proposed business.    Street   Stree
(Notary signature & seal) (Date)

Permit/Case #: 2027-11-140P







### Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-12-HOP

### **APPLICATION INFORMATION**

Applicant & Business Location

Megan Muskevitsch 1 Palmer Drive Luling, LA 70070 504.615.6794 thegeauxcup@gmail.com

### **BUSINESS INFORMATION**

Name & Description

The Geaux Cup: Mobile Bartending Service, LLC – for-hire bartender w/ mobile bar.

Licensing & Permits

Louisiana Office of Alcohol and Tobacco Control (ATF) and Louisiana Department of Health (LDH)

Vehicles & Equipment: converted horse trailer for use as a mobile bar

### SITE INFORMATION

Current Use: single-family house

Surrounding Zoning & Uses

R-1A zoning is located on all sides of the property.

The home is located in a developed single-family residential neighborhood abutting a golf course.

Traffic Access & Parking

The house is developed with a driveway providing access to Palmer Drive, but it does not appear to provide space to park the trailer out of site if necessary.

Utilities: standard utilities are available

### APPLICABLE REGULATIONS

#### Appendix A. Section XXII. - Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. Permit Process:
  - 1. <u>Pre-Application Meeting</u>: The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
  - 2. <u>Application</u>: A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
  - 3. <u>Departmental Review</u>: The Planning Director, or his designated staff, shall determine whether the proposed

use complies with the operational regulations of this section.

### 4. Public Notice and Comment:

- a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10 days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
- b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
- 5. <u>Determination</u>: The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
  - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
  - c. Deny the application.

### C. Operational Regulations:

- 1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
- 2. There shall be no signs posted which indicate the existence of the home occupation.
- 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes—this includes, but is not limited to picking up work assignments, materials, or payment.
- 4. There shall be no outdoor storage of materials or products on the premises.
- 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
- The home occupation shall not eliminate or impede required off-street parking.
- 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
- 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License"; Department of Health and Hospitals; and other state or federal permits or licenses.
- 9. No alcoholic beverages shall be sold, offered, or provided in a commercial capacity in the home where the occupational license is held, in connection with the operation of a home occupation.
- 10. Home occupation permits are not transferrable as to person or location.
- 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.

### D. Revocation of Home Occupation Permit:

- 1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
- 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
- 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.
- E. *Appeal:* Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

### **FINDINGS**

The applicant requests a permit to domicile The Geaux Cup, a mobile bartending service, at her residence located at 1 Palmer Drive, Luling.

This application comes before the Planning Commission because the business requires a permit from the Louisiana Department of Health, Office of the Sanitarian and must also comply with regulations of the Louisiana Office of Alcohol and Tobacco Control (ATC).

As per the submitted business description primary business activities occur entirely offsite. The mobile bar trailer will be kept at a commercially zoned building at 820 Industry Road in Kenner and all supplies purchased as needed.

### **DEPARTMENT RECOMMENDATION**

The Department recommends approval subject to the following stipulations:

- Provide proof of compliance from the Louisiana Office of Alcohol and Tobacco Control (ATC).
- Provide proof of compliance with the Louisiana Department of Health.
- Alcohol sales shall not take place at the residence.



Permit/Case #: \_\_\_

## St. Charles Parish Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057 Phone (985) 783-5060 • Fax (985) 783-6447 www.stcharlesparish-la.gov

Permit/Case #:
Receipt #:
Application Date:
Zoning District:
FLUM Designation:
Date Posted:

### **APPLICATION FOR HOME OCCUPATION PERMIT**

Administrative: \$25

State or Federal Permits/Licenses Required: \$200

Home Occupation: A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.
Applicant: Megan Muskevitsch
Home address: Palmer Dr. Luling La 70070
Mailing address (if different):
Phone: 504-615-6794 Email: the geaux cop@gmail.com
Property owner: Amy H. Galland
Name of proposed business: The Geaux Cup: Mobile Bartending Service LLC
Are state or federal permits/licenses required for your proposed business?
If yes, please list the agency/office involved: ATC - Bar Card DHH
Description of proposed business/business-related activities: See a Hainwent
How many people will be employed by the proposed business? 」 しいいにいる しゅん
Please list all vehicles/trailers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied.  1 horse frailer Converted into serving bar
Storage Address: 820 industry rd. Kenner La 70062
What materials and equipment will be used in the proposed business? Where will these items be stored?  Standard COPS MAPKINS, NON alcoholic drink mixes, garnishes.
All will be purchased perparty and will not need to be Stored before hand.
If the applicant does not own the property, the property owner(s) must sign and notarize below to indicate their approval/understanding of the proposed business.
(Property owner - Signature) (Date)
(Property owner – Print Name)
(Notary signature & seal) (Date)

The Geaux Cup: Mobile Bartending Service Business Description

This business offers an ATC licensed bartender for hire for weddings, private events, etc. This is a dry hire business that will not purchase, sell, or provide any alcohol to customers and will only serve alcohol purchased by the event organizer/customer.

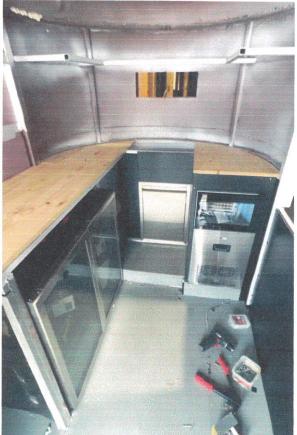
In addition to hiring a bartender, the customers can also rent a horse trailer that has been converted and renovated into a serving bar. The trailer will have coolers to chill drinks provided by the customers and will be compliant with health department codes. Any materials needed such as cups, napkins, non-alcoholic mixers, etc. will be purchased per party and will not need to be stored at the location of the home business.

While I am applying for a home occupation permit, no business will actually be conducted out of the home. This is a fully mobile business. All consultations with customers will be over the phone, there will be no materials to store, and the serving bar will be stored at a commercially zoned storage building in Kenner, La. If you have any questions or concerns please feel free to contact me for further clarification.

I have attached a few pictures to show the serving bar I currently have under construction and a few sample pictures of similar trailers.

Pictures 1-4 show serving bar under construction.









17

Pictures 5 & 6 show examples of finished product.





### 2023-12-HOP The Geaux Cup







### Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2023-3-MIN

### **APPLICATION INFORMATION**

Submittal Date: 3/27/23

### Applicant / Property Owner

Leonard Hafford 741 Grand Bayou Road Des Allemands, LA 70030 504.214.4139

### Request

Resubdivision of a Portion of Lot 852 in Sub-Drainage District No. 3 of the Sunset Drainage District into Lots 852-X and 852-Y.

### SITE INFORMATION

Location: 741 Grand Bayou Road, Bayou Gauche

### Size of Proposed Lots

- o Lot 852-X: 103,312.40 sq. ft. (2.372 acres); 587.08 ft. wide at Grand Bayou Road
- o Lot 852-Y: 114,288.55 sq. ft. (2.624 acres); 381.62 ft. wide at Grand Bayou Road
- Current Zoning: O-L, Open Land

### Current Use

The property is developed with a single-family home and accessory structures. The resubdivision will result in an accessory structure on its own lot without a primary, specifically a garage on Lot 852-Y

### Surrounding Zoning

O-L zoning abuts the property on each side.

### Surrounding Uses

The area consists of both smaller lots and large tracts developed with a mix of site-built houses and manufactured homes.

Flood Zone and Elevation: X Zone / DFIRM AE7

### Plan 2030 Recommendation

Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).

### Traffic Access

Each lot will have frontage on Grand Bayou Road and maintain access via existing driveways.

#### Utilities

Parish water and drainage facilities are available on Grand Bayou Road. Sewer is not available.

### Development History

Lot 852 dates back to an E.M Collier survey from May of 1951. The subject Portion of Lot 852 resulted from the subdivision of the parent tract as shown on the map by E.M. Collier dated October 20, 1976.

### **APPLICABLE REGULATIONS**

#### Appendix A. Section VI. - Zoning District Criteria and Regulations

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

Policy statement: This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. It is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.

- Use Regulations:
  - A building or land shall be used only for the following purposes:
    - Farming.
    - (2) Animal husbandry.
    - (3) Farm family dwellings.
    - Tenant dwellings. (4)
    - (<del>5</del>) Site-built, single-family detached dwellings.
    - Additional dwellings for family and relatives on unsubdivided property on a non-rental basis, (6)and which meet the criteria outlined in Special Provisions [subsection 3].
    - Manufactured housing. (7)
    - Mobile homes. (8)
    - Accessory buildings. (9)
    - (10)Family subdivisions, provided that they conform to the St. Charles Parish Subdivision Regulations [appendix C].
    - (11) Farmer's market, provided that the criteria outlined in Special Provisions [subsection 3] is
    - Any permitted uses under subsection 1.a. items (1) through (9) on a lot or property without (12)frontage provided that a permanent right of passage to access the structure exist or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court.
    - Lawn Care Service subject to the requirements of Section VII.
    - (14) Historic Home Site Bed and Breakfast.
  - Special exception uses and structures include the following: b.
    - Religious institutions. (1)
    - Golf courses and golf practice ranges. (2)
    - Public parks and recreational areas. (3)
  - Special permit uses and structures include the following: C.
    - Child care centers.
    - Public and private academic institutions (trade, business and industrial schools shall be (2)located in the appropriate commercial or industrial zoning district).
    - Cemeteries and mausoleums, provided that they meet the criteria outlined in Special Provisions [subsection 3].
    - Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.
    - Public stables and kennels (5)
    - Cellular installations and PCS (personal communication service) installations. (6)
    - Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
    - (8)Reserved.
    - Fire stations with or without firefighter training facilities.
    - (10) Nonresidential accessory buildings.
    - Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
- 2. Spatial Requirements:
  - Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet. (Ord. a. No. 07-1-6, § II, 1-8-07)
  - Minimum yard sizes: b.
    - Front—Thirty-five (35) feet. (1)
    - Side—Ten (10) feet. (2)
    - Rear—Twenty (20) feet. (3)
    - (4)Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
  - Accessory buildings: Minimum rear and side setbacks shall be ten (10) feet.
  - Permitted encroachments: d.
    - Overhangs projecting not more than twenty-four (24) inches excluding gutter.
    - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into the required front or rear yard.
- Special Provisions: 3
  - Additional dwellings on unsubdivided property:
    - Additional dwellings on unsub-divided property referred to in 1, a(11) above, will be permitted at the rate of one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.
    - The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
    - Under no circumstances will the total number of dwellings per unsubdivided lot permitted (3) under these provisions exceed four (4).
    - Permits issued under this provision will be issued for a two-year period. At the expiration of (4) this time, an investigation will be conducted by the Planning and Zoning Department to

- determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
- All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Housing Installation in Flood Hazard* Areas.
- c. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.
- d. Farmer's market:
  - (1) All products must be sold on the premises on which they were grown or produced, from either a truck, stand, display table, or other means of display which has been inspected and approved by the Parish Health Unit.
  - (2) No structure, vehicles or signs may be located closer to any property line than the general setback requirements of the O-L District with the exception of one (1) on-premises sign which contains the name of the market. This sign shall be located approximate to the entrance drive directing attention to the market. The sign shall conform with acceptable commercial standards regarding quality and aesthetics. No temporary signs will be allowed. If the sign is to be illuminated, lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to abutting properties.
- e. Cemeteries and mausoleums:
  - All cemetery or mausoleum sites must have a minimum street frontage of one hundred (100) feet.
  - (2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts.
- 4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

### Appendix C. Section II. Subdivision Procedure

- C. Minor Resubdivisions.
  - 1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
  - 3. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information:
    - a. Location of the property.
    - b. Name(s) and address(es) of the owners.
    - c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
    - d. Existing property lines and lot numbers, including names and width of adjoining streets.
    - e. Proposed property lines and revised numbers of proposed lots.
    - f. Location and dimensions of existing buildings.
    - g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
    - h. Existing lakes and ponds.
    - i. North arrow and scale.
    - j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
    - k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with <a href="Chapter 25">Chapter 25</a>— Stormwater Management and Erosion and Sedimentation Control.
    - I. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

### **FINDINGS**

This minor resubdivision proposes dividing one lot into two.

Each lot meets the minimum lot size requirements for the O-L zoning district and existing structures meet the side setback requirement to the new dividing property line.

Geometric Standards are not met, specifically item III.C.2 which states:

 All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission.

The new dividing property line does not meet the Grand Bayou Road right-of-way at the required right angle. The department does not object to the variation since the lot line is drawn to follow an existing drainage feature crossing the property.

The resubdivision will also result in an accessory structure on its own lot of record without a primary structure or use, specifically a garage shown on Lot 852-Y, which would not contain a primary structure or use the garage can be considered accessory

to. This is not permitted in most zoning districts, but the O-L district allows "non-residential accessory buildings" on their own lots as a Special Permit Use (SPU).

The department does not object to the resubdivision moving forward as submitted, but approval will be conditional and based on one of the following occurring within one year of the approval date:

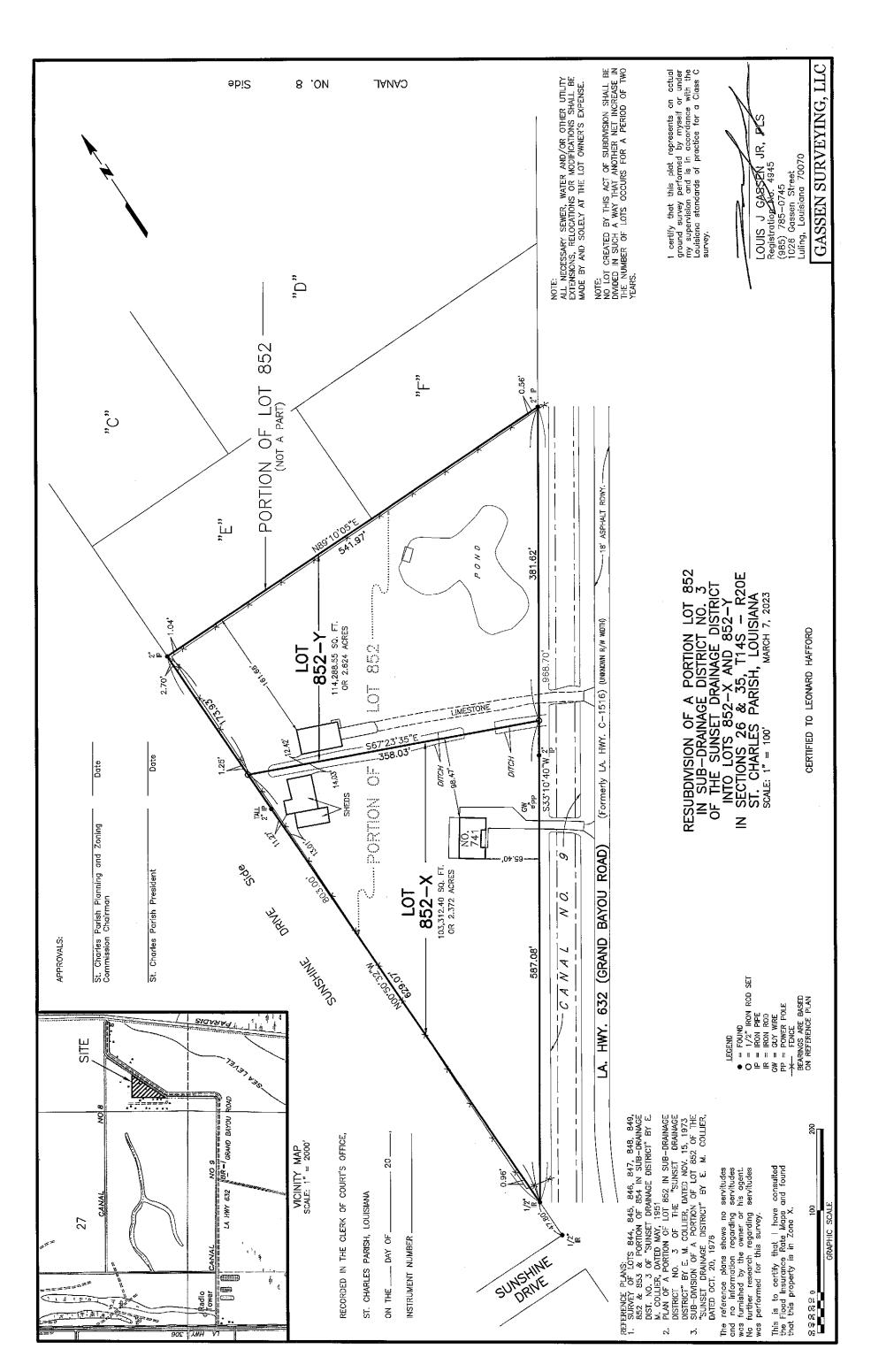
- 1. Submittal of an SPU application requesting approval for a non-residential accessory building on Lot 852-Y.
- 2. Submittal of a demolition permit to remove the garage from Lot 852-Y.
- 3. Submittal of a permit for a primary structure/use on the property that the garage would be an accessory to.

If neither of the above options are pursued within one (1) year of approval of this resubdivision it will result in a zoning violation.

### **DEPARTMENT RECOMMENDATION**

Approval, conditioned on the following occurring within one (1) year of the approval date:

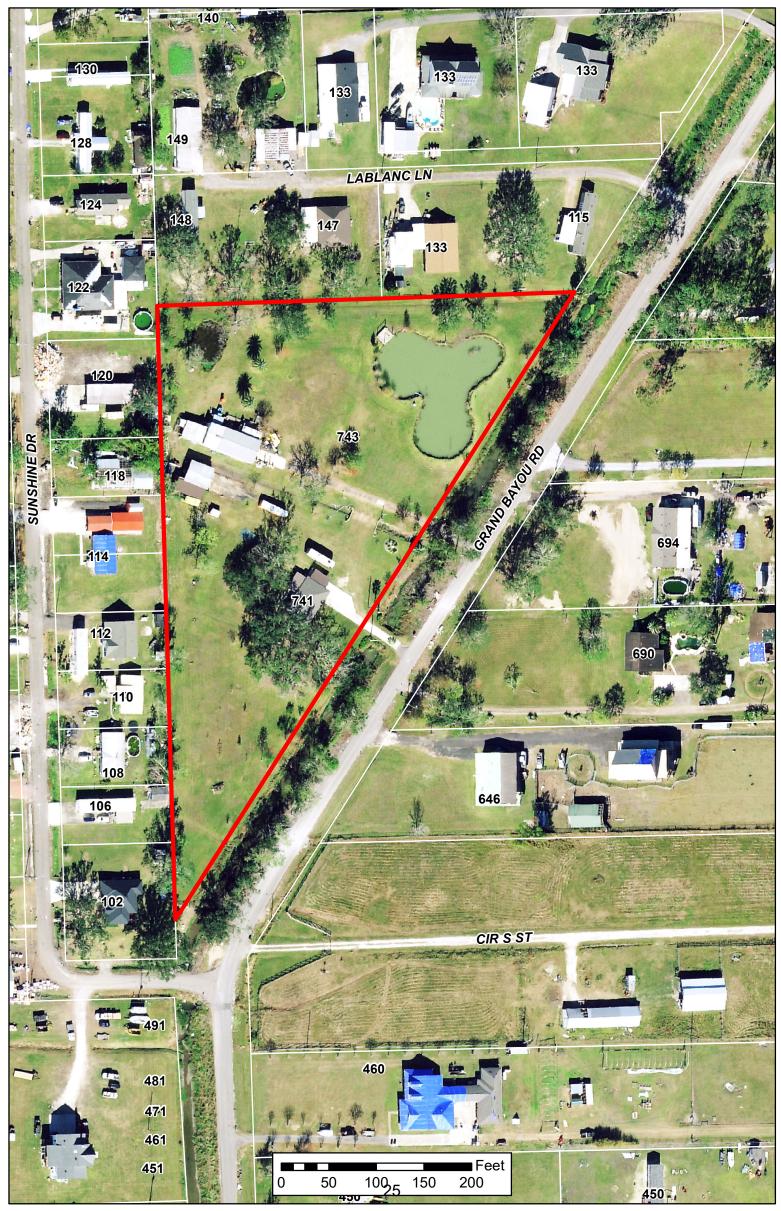
- 1. Submittal of an SPU application requesting approval for a non-residential accessory building on Lot 852-Y.
- 2. Submittal of a demolition permit to remove the non-residential accessory building from Lot 852-Y.
- 3. Submittal of a permit for a primary structure/use on Lot 852-Y.



2023-3-MIN: Hafford

1 lot into 2





2023-3-MIN: Hafford

1 lot into 2

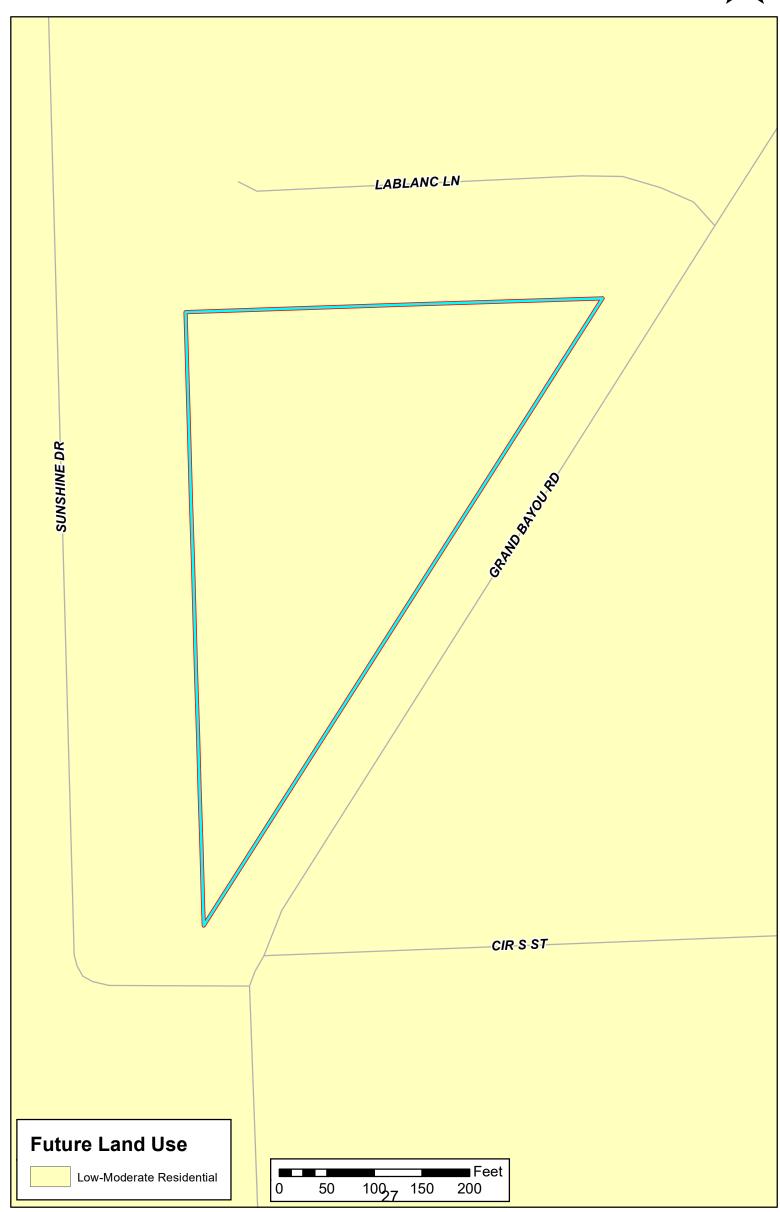




2023-3-MIN: Hafford

1 lot into 2







## Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-6-R

### **APPLICATION INFORMATION**

Submittal Date: 4/4/23

### Applicant / Property Owner

Debra Dufresne Vial Esperanza Land, LLC 14035 River Road Luling, LA 70070 (504)-559-4910 debbie@514enterprises.com Hank Tatje
T Times 4, LLC
1714 Cannes Drive
LaPlace, LA 70068
(504)-908-6158;
hank@cypressmanagers.com

### Request

Change of zoning from M-2, Heavy Manufacturing and Industry to M-1, Light Manufacturing and Industry

### SITE INFORMATION

#### Location

Deputy Jeff G. Watson Drive, Luling; Lots 12 thru 19, Esperanza Business Park Ph. 2

■ Size: 13 acres

#### Current Use

The subject lots are cleared but remain undeveloped.

### Surrounding Zoning

The site is in an area consisting of C-3, M-1, and M-2 zoning.

### Surrounding Uses

The subject lots are located within Esperanza Business Park Phase 2, which aside from a concrete batching plant on Lot 11 remains mostly undeveloped.

Esperanza Business Park Phase 2 is adjacent to Esperanza Business Park Phase 1 (Judge Edward Dufresne Parkway side) and Dufrense Business Park (River Road side), which are developed with a mix of commercial, industrial, and institutional uses.

### Zoning History

The M-2 zoning district was established through a map amendment approved on February 20, 2006, Ordinance 06-2-5.

### Future Land Use Recommendation

Business Park – This category provides for the development of planned business, office, technology, warehouse and research activities, as well as related ancillary uses, such as shipping offices, office supply, services, hotels and restaurants. Business parks should incorporate design standards such as screening, landscaping and site location criteria.

### Traffic Access

Each lot has frontage on Deputy Jeff G. Watson Drive, a 60 ft. right-of-way with an improved concrete roadway.

#### Utilities

Esperanza Business Park Phase 2 was dedicated in December 2020. The development of the subdivision included public water and drainage, but not sewer.

### APPLICABLE REGULATIONS

### Appendix A. Section VI. - Zoning District Criteria and Regulations

- [I.] M-1 Light manufacturing and industry district:
  - Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.
    - a. A building or land shall be used only for the following purposes:
      - (1) Those uses identified as items 2 through 27 as listed in the C-3 District.
      - (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
      - (3) Agriculture and other general farming uses.
      - (4) Warehousing and storage of nonhazardous material.
      - (5) Assembly plants.
      - (6) Bottled gas sales and/or service.
      - (7) Food processing plants.
      - (8) Cellophane products manufacturing.
      - (9) Cold storage or refrigerating plants.
      - (10) Electrical parts manufacturing and assembly.
      - (11) Fiber products manufacturing (previously prepared fiber).
      - (12) Garment manufacturing.
      - (13) Glass products manufacturing.
      - (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
      - (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
      - (16) Leather products manufacturing (previously prepared leather).
      - (17) Commercial vehicle and heavy equipment sales and service.
      - (18) Millwork.
      - (19) Paint mixing and treatment (not employing a boiling process).
      - (20) Paper products manufacturing (previously prepared material).
      - (21) Plastic products manufacturing (previously prepared material).
      - (22) Sheet metal products manufacturing (light).
      - (23) Sign manufacture.
      - (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
      - (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
      - (26) Television and radio broadcasting transmitters.
      - (27) Textile products manufacturing.
      - (28) Toy manufacturing.
      - (29) Well drilling services.
      - (30) Wood products manufacturing (assembling work and finishing).
      - (31) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
    - b. Special exception uses and structures (variation):
      - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
    - c. Special permit uses and structures include the following:
      - (1) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
      - (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.I.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council.
      - (3) Cellular installations and PCS (personal communication service) installations.
      - (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council (Ord. No. 98-4-17, § IV, 4-20-98). Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
      - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
      - (2) Minimum lot size of site shall be ten (10) acres.
      - (3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:
        - a) a separate truckers' lounge
        - b) a full-service laundry facility located in a convenient area for truckers' use
        - c) private showers for men and women and not located in an area open to general public restroom facilities
        - d) a travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)
        - e) truck scales
        - f) separate truckers' telephones
        - g) permanent storage facilities for fuel

- (4) These regulations shall not be applied to any truck stops with video poker gaming facilities which have received a Certificate of Zoning Compliance previous to the date of this ordinance, notwithstanding any other provisions of this ordinance.
- (5) Towing yard. Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations:
- (1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:
  - a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface:
  - A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
  - A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
  - d) All buildings and structures to be located on the site and the required off-street parking layout.
- (2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.
- (3) Towing yards shall also adhere to state and local licensing requirements.
- (4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.
- (6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
- (7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
- (8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council.
- (9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring.
- 2. Spatial Requirements:
  - Minimum lot size: Ten thousand (10,000) square feet.
     Minimum width: One hundred (100) feet.
  - b. Minimum yard sizes:
    - (1) Front twenty-five (25) feet
    - (2) Side fifteen (15) feet
    - (3) Rear twenty-five (25) feet.
    - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- 3. Transportation System: Arterial, rail, water.
- 4. Special Provisions:
  - a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including walkways, driveways and parking areas. All operations must be conducted within a building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in height.
  - b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater buffer strip.
  - The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

### Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:

- 1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
- 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
  - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
  - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
  - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
- 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
  - 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
  - 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

### **REZONING GUIDELINE & CRITERIA EVALUATION**

 The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.

The subject site is designated *Business Park*, which "provides for the development of planned business, office, technology, warehouse and research activities, as well as related ancillary uses, such as shipping offices, office supply, services, hotels and restaurants." The M-1 zoning district, where office parks are permitted, conforms to this land development pattern. The proposed M-1 district is not considered a spot zone. It does not give to a single lot or a small area privileges not extended to other land in the vicinity. **The request meets the first guideline.** 

2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.

The M-2 zoning district was established in 2006 when the subject site consisted of two large tracts 14 and 4D-1-A. In December 2020 Esperanza Business Park Phase 2 was approved and dedicated resulting in lots 12 thru 19. These lots range in size from 49,019 to 99,481 sq. ft. The M-2 zoning district permits some of the most intense uses in St. Charles Parish, which are more suited for large development sites. This is reflected by the M-2 district requiring the largest standard side and rear setbacks in St. Charles Parish (35 ft. and 50 ft. respectively) in addition to buffering. The increased setbacks and other restrictions in the M-2 district limits the development potential of the lots created as part of Esperanza Business Park Phase 2. The existing M-2 zoning no longer allows for reasonable use of property, and the proposed M-1 zoning is more suitable for the development of the business park. **The request meets the second guideline.** 

3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The subject site is located within Esperanza Business Park Phase 2, which is mostly undeveloped but zoned for both M-1 and M-2 uses. Adjacent developments which include Esperanza Business Park Phase 1 and Dufresne Business Park are both zoned for and developed with uses permitted under M-1. A downzoning from M-2 to

M-1 would result in development which is more compatible with the current and intended character. Existing infrastructure was dedicated in 2020 under the current M-2 zoning, which permits M-1 uses. This change of zoning will not result in a different form of development that may overburden these facilities. **The request meets the third guideline.** 

### **DEPARTMENT RECOMMENDATION**

Approval, based on meeting the first, second, and third rezoning criteria.

This request will be forwarded to the Parish Council for a second public hearing with the Planning Commission's recommendation.



### St. Charles Parish Department of Planning & Zoning

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057 Phone (985) 783-5060 • Fax (985) 783-6447 www.stcharlesparish-la.gov

Permit/Case#: 2023 - 6-R
Receipt #: 10211583
Application Date: 4/4/23
Zoning District: M-2
FLUM Designation:
Date Posted:

### APPLICATION FOR ZONING MAP AMENDMENT (CHANGE OF ZONING DISTRICT OR REZONING)

Commended the managed on the tribles before	1 CE: 910 - 7200
Applicant: HANK TATJE for T TIMES 4, LLC	2
Home address: 1714 CANNES DR. LAPLAC	E, LOUISIANA 70068
Mailing address (if different):	
Phone #s: 504-908-6158	Email: HANK@CYPRESSMANAGES.COM
Property owner: T TIMES 4, LLC	
Municipal address of property: LOTS 12 & 13	
Lot, block, subdivision: ESPERANZA BUSINE	SS PARK - PHASE II
Change of zoning district from: M-2	to: M-1
Future Land Use designation of the property: SA (A fact sheet on Future Land Use designations is available)	ME USE - LIGHT INDUSTRIAL BUSINESS PARK allable at the Planning and Zoning Department),
help them make a determination on the merit Describe how you plan to use the property if the re-	
ORDANANCE.	1 ages As SEI Mas STOT, OF MALES FARGITZONING
	es today? How is your proposed use compatible with the neighborhood? BECAUSE OF EXISTING CONCREATE BATCH PLANT ON SITE D.
ESPERANZA BUSINESS PARK - PHASE II	unding neighborhood that make the rezoning necessary? APPROVED IN 2020, DID NOT ADDRESS REZONING OF EQUIRMENTS ON THESE SMALLER LOTS WAS NOT INTENDED
IN COMPLIANCE WITH SURROUNDING L	
compatible with the existing neighborhood? A list of	t develop, explain how other uses allowed in the new zoning district are of allowed uses is available at the Planning and Zoning Department. FOR A LIGHT INDUSTRIAL BUSINESS PARK, WHICH IS THE

Permit/Case #: 2023 - 6- R



### St. Charles Parish **Department of Planning & Zoning**

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057 Phone (985) 783-5060 • Fax (985) 783-6447 www.stcharlesparlsh-la.gov

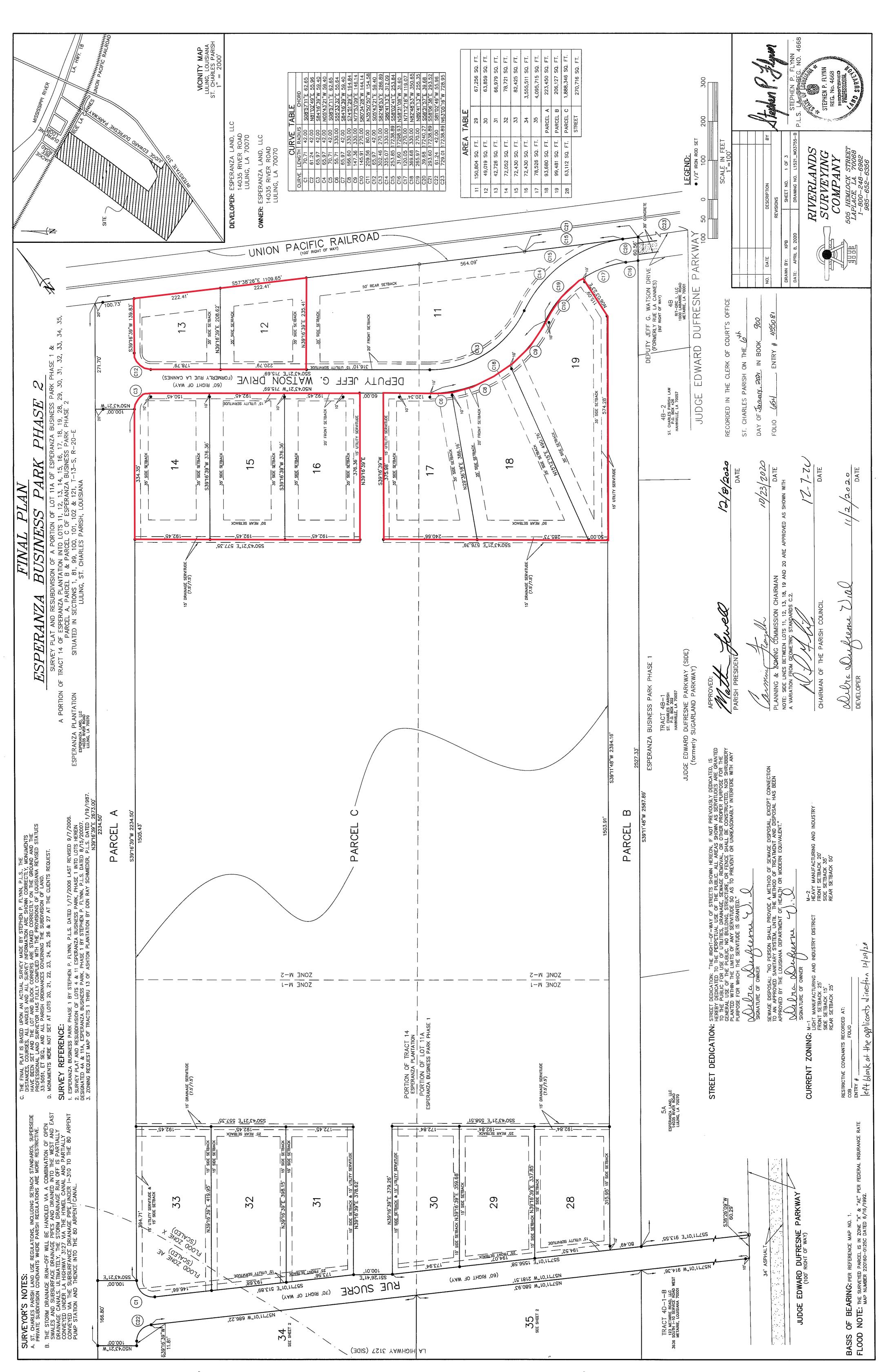
Permit/Case #: 2023 - 6 - /2
Receipt #: 18211583
Application Date: 4/4/23
Zoning District: M-2
FLUM Designation:
Date Posted:

Page 1 of 2

### APPLICATION FOR ZONING MAP AMENDMENT (CHANGE OF ZONING DISTRICT OR REZONING)

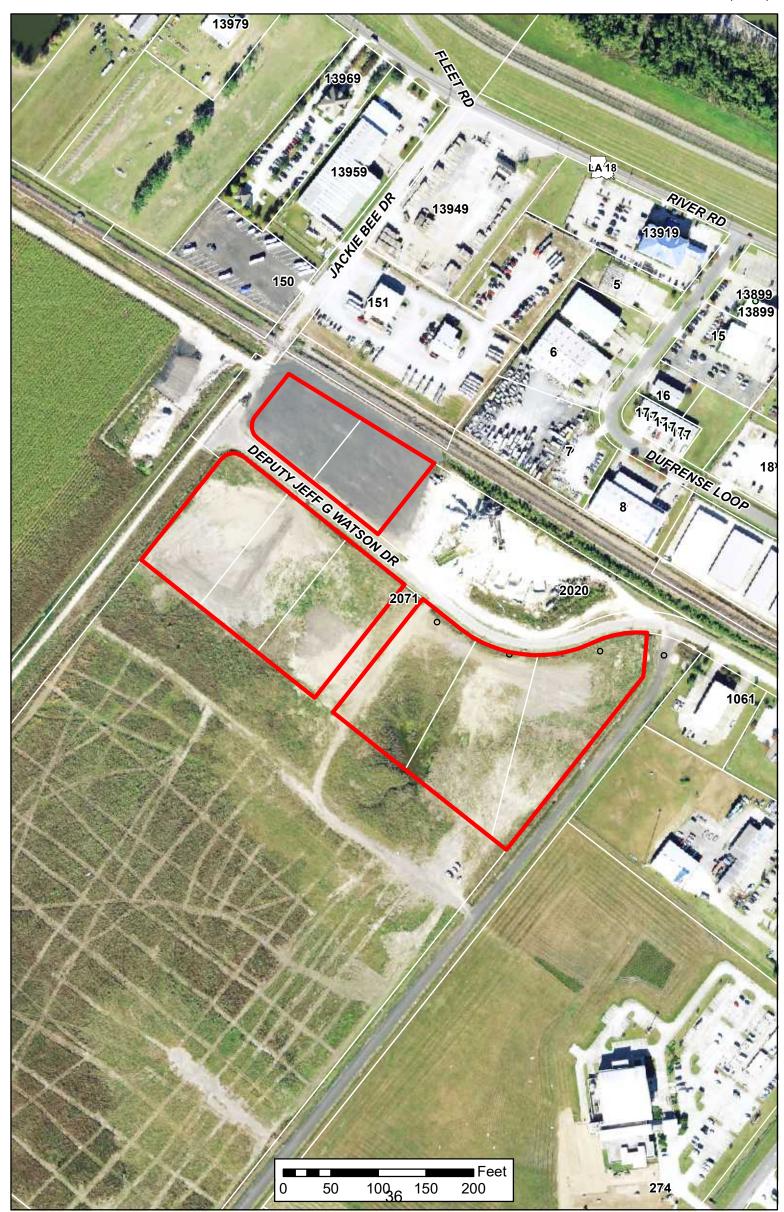
•		unva,	l-	ee: \$40 - \$200
Applicant: DEBRA DUFRES	NE VIAL for ESPERA	NZA LAND, LLC		
Home address: 14035 RIVER	ROAD, LULING, LO	JISIANA 70070		
Mailing address (if different):				
Phone #s; 504-559-4910		Email: DEBBIE@5	14ENTERPRISES.CO	M
Property owner: ESPERAN	ZA LAND, LLC		<u> </u>	
Municipal address of property:	.OTS 14-19			
ot, block, subdivision:ESPER	ANZA BUSINESS PA	RK - PHASE II		
Change of zoning district from:	M-2	to: M-1		<del> </del>
Future Land Use designation of th A fact sheet on Future Land Use o	ie property: SAME US designations is available a	E - LIGHT INDUSTRI	AL BUSINESS PARK 3 Department).	
Your written responses below help them make a determinat Describe how you plan to use to	ion on the merits of yo property if the rezoning is	ur request.		
LIGHT MANUFACTURING A	AND INDUSTRY USE	S AS DEFINED BY S	CHARLES PARISH	ZONING
ADJACENT PROPERTIES ZO WHEN ZONING CODE WAS	IMPLAMENTED.	SE OF EXISTING CC	INCREATE BATCH PL	ANT ON SIT
there something about the prop	RK - PHASE II APPRO	OVED IN 2020, DID N	OT ADDRESS REZON	ING OF
LOTS 12-19. M-2 USES AND	) SETBACK REQUIRM	MENTS ON THESE SI	MALLER LOTS WAS N	IOT INTEND
ow does your proposed use of the IN COMPLIANCE WITH SUF	e property comply with th	e Future Land Use design SE.	nation for the property? _	
the property is rezoned, but your ompatible with the existing neight M-1 ZONING IS PROPER D INTENDED USE OF PHASE	ESIGNATION FOR A	d uses is available at the	Planning and Zoning Done	
ermit/Case #: <u>ZoZ3 - 6 - R</u>				

34



2023-6-R Map Amendment, M-2 to M-1





2023-6-R Map Amendment, M-2 to M-1



