

**ST. CHARLES PARISH  
ZONING BOARD OF ADJUSTMENT  
May 18, 2023  
6:00 P.M.**

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE**

---

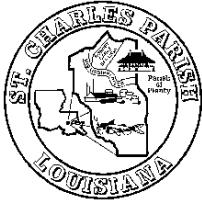
**POSTPONED CASES**

- 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.
- 42 **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.
- 48 **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.
- 54 **2023 12 ZBA** requested by **Evan Barbier** to reduce the required construction elevation at **250 Grand Bayou Road, Des Allemands**. Zoning District O-L. Council District 4.
- 73 **2023 13 ZBA** requested by **Robert and Heidi Lasserre** to reduce the required construction elevation at **318 Kirk Drive, Paradis**. Zoning District R-1A(M). Council District 4.
- 86 **2023 14 ZBA** requested by **Robert and Heidi Lasserre** to reduce the required construction elevation at **449 Estay Lane, Paradis**. Zoning District R-1A(M). Council District 4.
- 96 **2023 15 ZBA** requested by **Mekiva Dumas** to reduce the required rear yard setback for an attached patio cover at **133 Cove Pointe Drive, Luling**. Zoning District R-1A. Council District 7.

**UNFINISHED BUSINESS -  
NEW BUSINESS -  
MINUTES -  
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  
 ZBA #15063  
 NOTARY #15328  
 SEAL

**FOR OFFICE USE ONLY:**

ZBA Case #: 2023-7-2B14 Property Identification #: \_\_\_\_\_ Date submitted: \_\_\_\_\_  
 Receipt #: 10130593 Flood Zone: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
 Subdivision Name: \_\_\_\_\_  
 Square # \_\_\_\_\_ Lot # \_\_\_\_\_ Block \_\_\_\_\_ Property sq. ft. \_\_\_\_\_  
 Code Section being appealed: \_\_\_\_\_

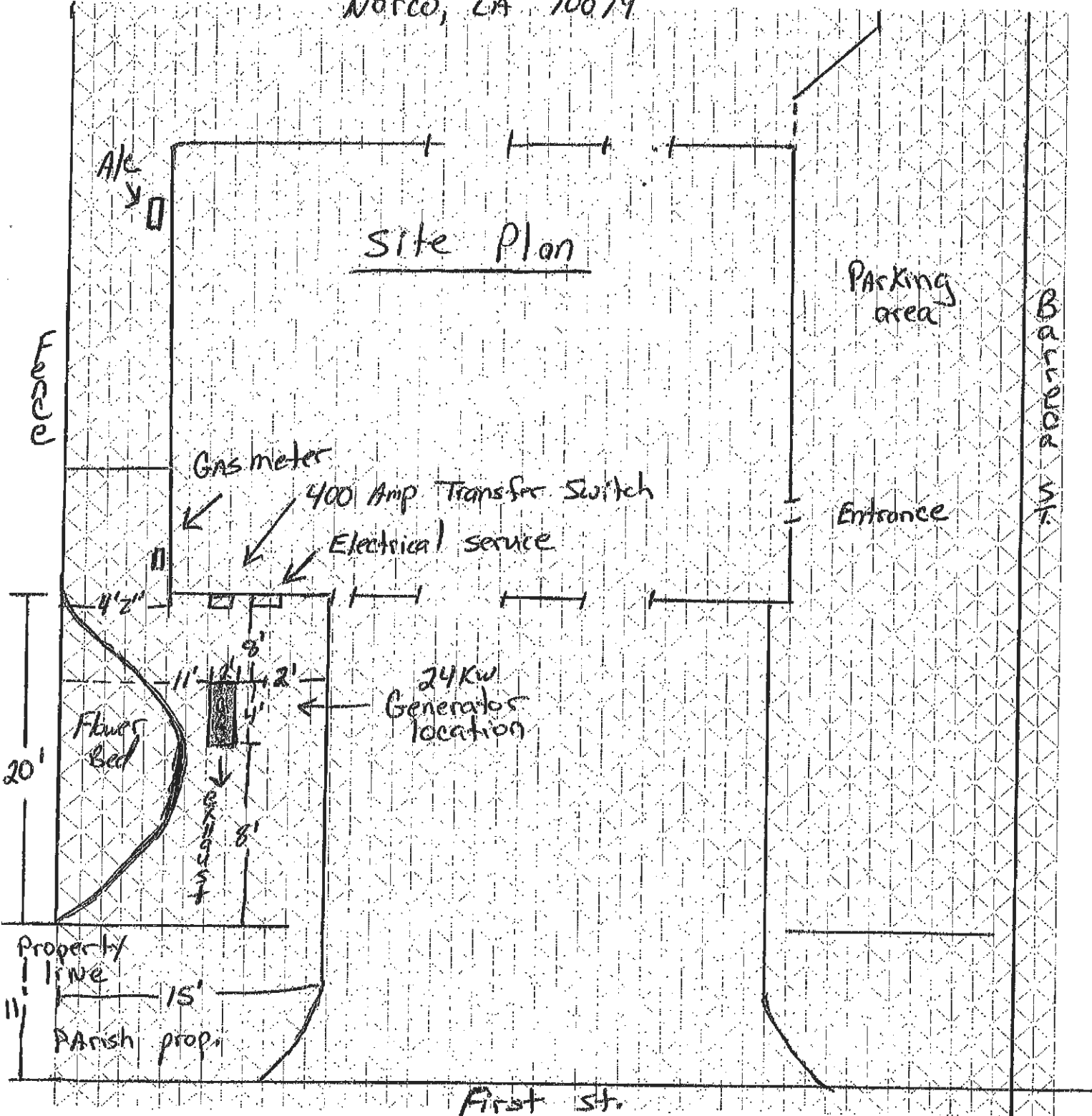


# C&D PLUMBING AND MECHANICAL, LLC

Job: Atmos Energy

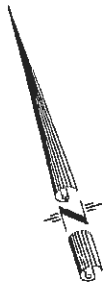
Address: 101 Barreca. St.  
Norco, LA 70079

*Revised*



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

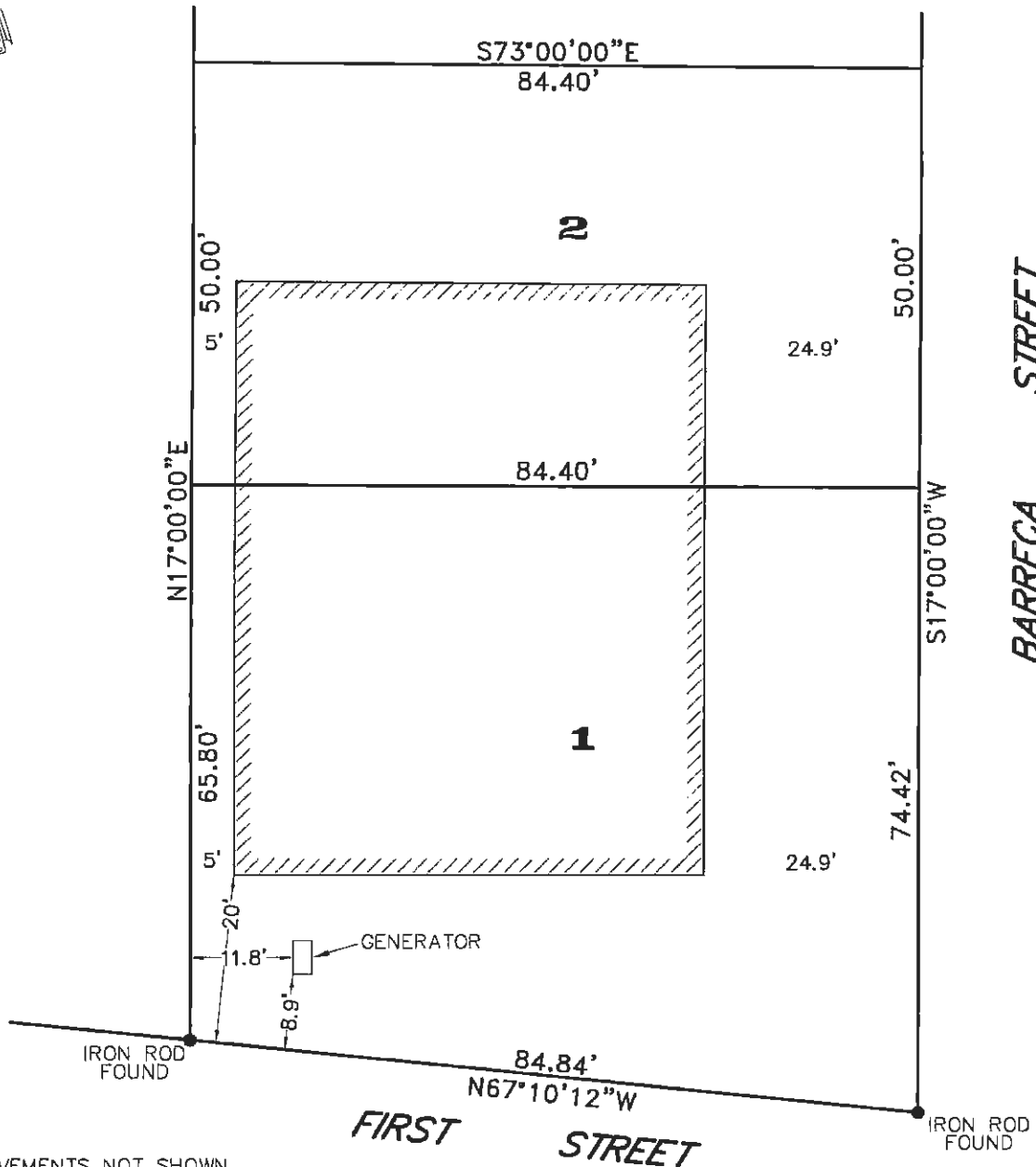
**BOUNDARY SURVEY OF  
LOTS 1 AND 2  
BLOCK 3  
LOT D OF GOOD HOPE PLANTATION  
ST. CHARLES PARISH, LA**



*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:IXI, 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@rwwkrebs.com](mailto:infonola@rwwkrebs.com)  
 WEB: [www.rwwkrebs.com](http://www.rwwkrebs.com)

BY: 

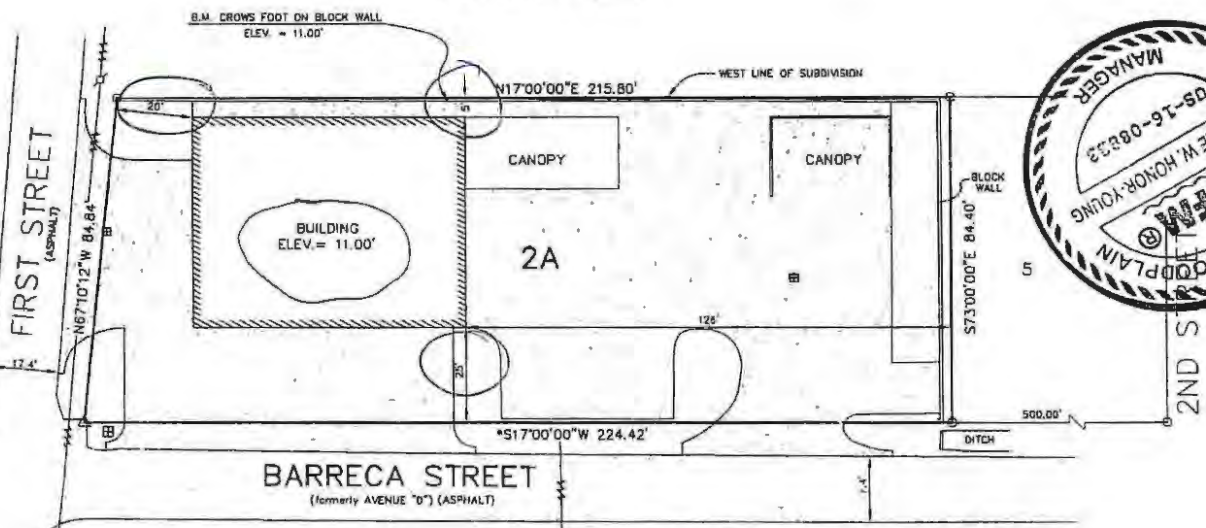
RICHMOND W. KREBS, PLS, LIC. #4836

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.

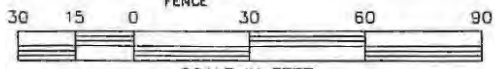
CLAYTON DRIVE (SIDE)



7

**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'

**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

**CERTIFIED TO:** ATMOS ENERGY CORPORATION

**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.

**FLOOD NOTE:** THE SURVEYED PARCEL IS IN ZONE "X" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-D125C  
DATED 6/16/1992, REVISED TO REFLECT LOMR DATED 5/2/2003.

**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 FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVIDUTES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
- C. NO UNDERGROUND LINES OR CONDUITS SHOWN.
- D. MINIMUM SETBACK LINES AND SERVIDUTES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT, THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION.
- E. ELEVATIONS HEREON ARE ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE 1702 USING ILECA SMARTNET SOLUTION 3/12/2016 NAVD83 060112A.

DRAWN BY: KPB

DRAWING NO. MM0927\_W02706\_FORMS

**RIVERLANDS SURVEYING COMPANY**



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

*Stephen P. Flynn*  
STEPHEN P. FLYNN  
P.L.S. LICENSE NO. 4668

P.L.S. LICENSE NO. 4668

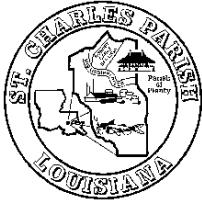




# 2023-7-ZBA, Atmos Energy

## 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

[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 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

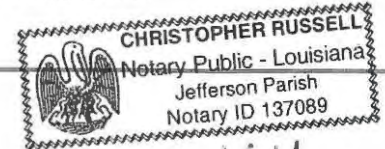
Phone # 504-605-8739 Email Ccampeaux23@yahoo.com

**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**



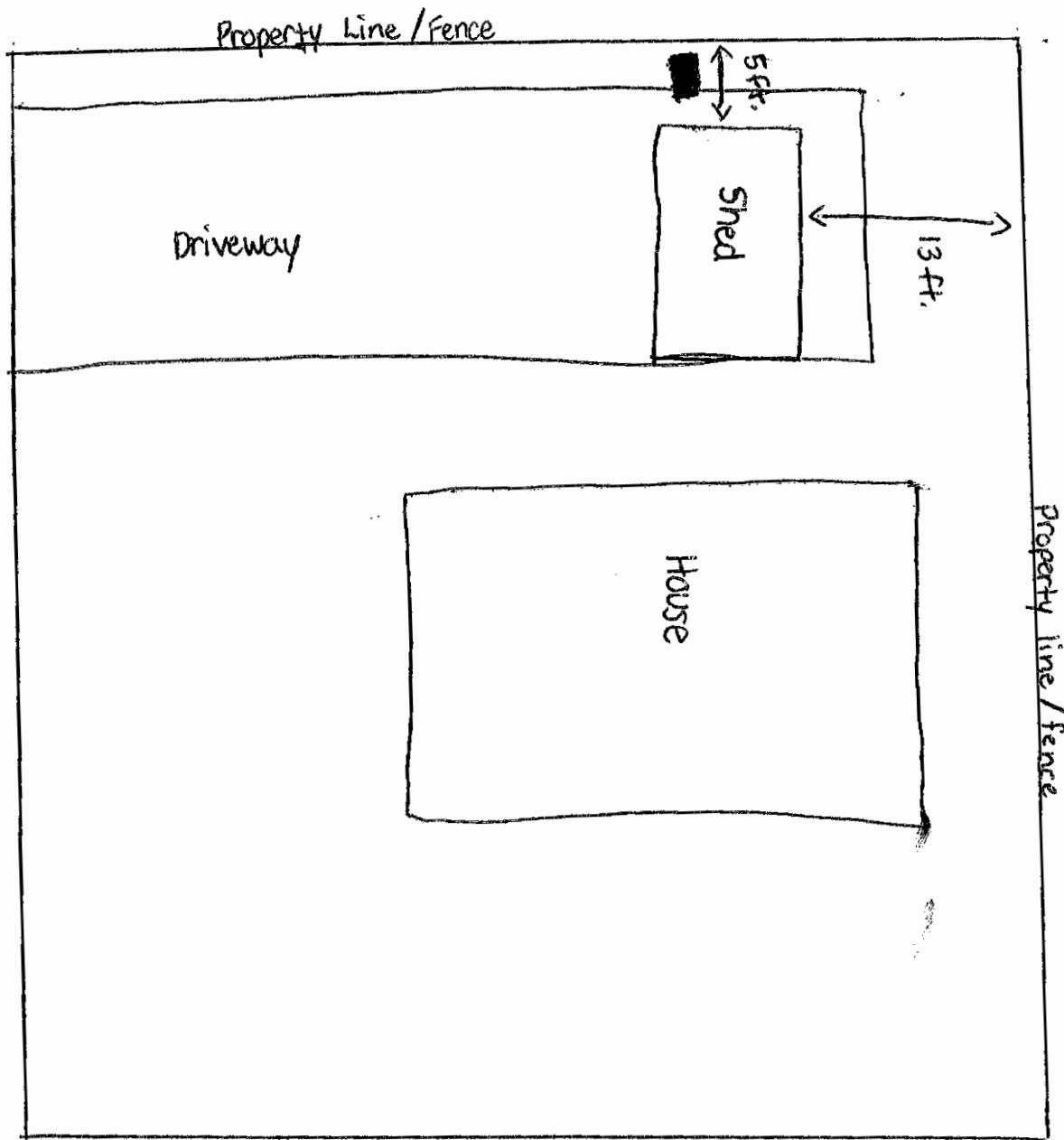
**OWNER:**  
Chelsea Campeaux being duly sworn,  
 (Print Name)  
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes 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-ZBA 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







VICINITY MAP  
NOT TO SCALE

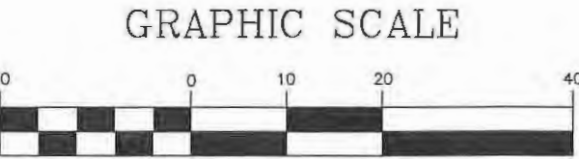
RECORDED IN THE ST. CHARLES PARISH CLERK OF COURT  
ON THE March DAY OF 30<sup>th</sup>, 2022  
IN COB 917, FOLIO 426, ENTRY No. 467074

Michael J. Allers 3-25-22  
DIRECTOR, PLANNING AND ZONING DEPT DATE

Mathew Jewell 3-22-22  
PARISH PRESIDENT DATE

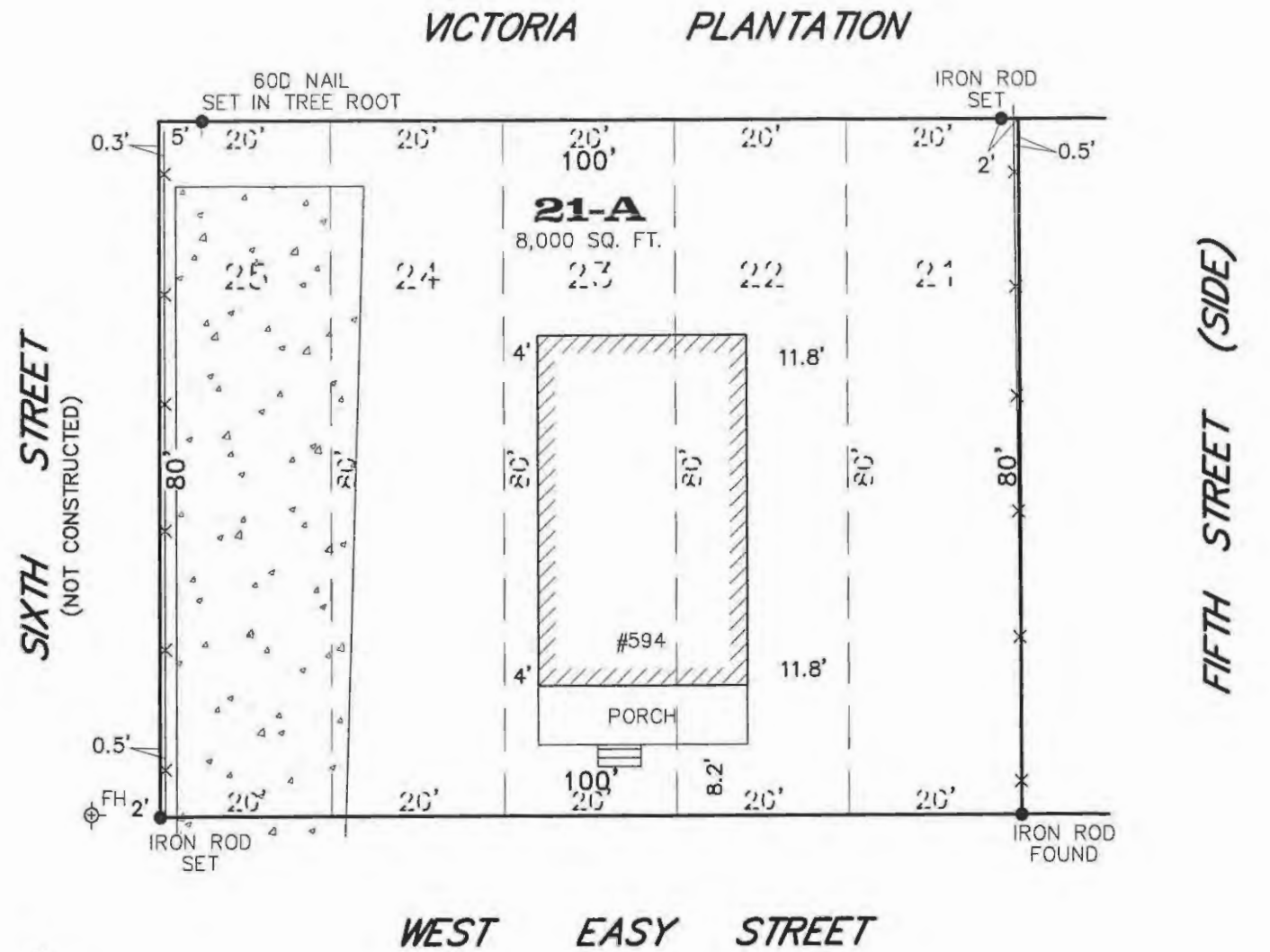
ALL NECESSARY SEWER, WATER, AND OR OTHER  
UTILITY EXTENSIONS SHALL BE MADE BY AND  
SOLELY AT THE LOT OWNER'S EXPENSE.

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.



( IN FEET )  
1 inch = 20 ft.

OWNER: CHELSEA MARIE CAMPEAUX  
594 WEST EASY ST  
NEW SARPY, LA 70047



GENERAL NOTES

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 INSURANCE RATE MAP (FIRM) DATED: 05/02/03 FLOOD ZONE: A99  
COMMUNITY PANEL #: 220160 0125 C BASE FLOOD ELEVATION: N/A

REFERENCE NOTES

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1  
REFERENCE PLAN #1: A PLAN OF SURVEY BY R.W. KREBS DATED SEPTEMBER 23, 2020

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 CHELSEA CAMPEAUX  
REVISED TO ADDRESS PARISH COMMENTS MARCH 22, 2022

BY: Richmond W. Krebs, Sr.  
RICHMOND W. KREBS, SR., PLS., No. 4836



RESUBDIVISION SURVEY OF  
LOTS 21 - 25  
INTO LOT 21-A  
SQUARE 23  
NEW SARPY  
ST. CHARLES PARISH, LA

**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

DATE: FEBRUARY 1, 2022 DRAWN BY: NDK  
SCALE: 1" = 20' CHECKED BY: RWK  
JOB #: 220227

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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

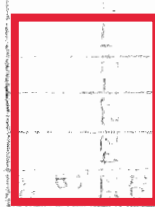
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50

(27)

WEST EASY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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)



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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)

3 STREET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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)

2 STREET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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)

1 STREET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
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)

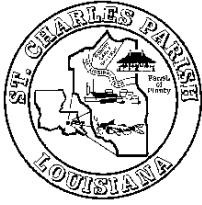
WEST VALZOO & MISS. VALLEY RAILROAD



# 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**

**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 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

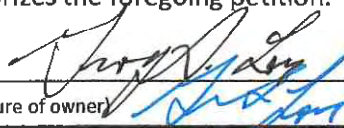
Phone # 504-579-3572 Email 6shov@yahoo.com


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**

**OWNER:**  
George S. Loy 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 of owner)

**NOTARY PUBLIC:**  
 Subscribed and sworn to before me this 3<sup>rd</sup> day  
 of March, 20 23 in my  
 office at Destrehan  
 Louisiana  
  
 (Signature of Notary Public) **ABBEY A. MACK**  
 Notary Public  
 LA Bar Roll No. 9621  
 My Commission Expires at My Death  
**SEAL**

**FOR OFFICE USE ONLY:**

ZBA Case #: 2023-9-2BA Property Identification #: 30190000053 Date submitted: 3/3/23  
 Receipt #: \_\_\_\_\_ Flood Zone: A99 Dfirm A&Z 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

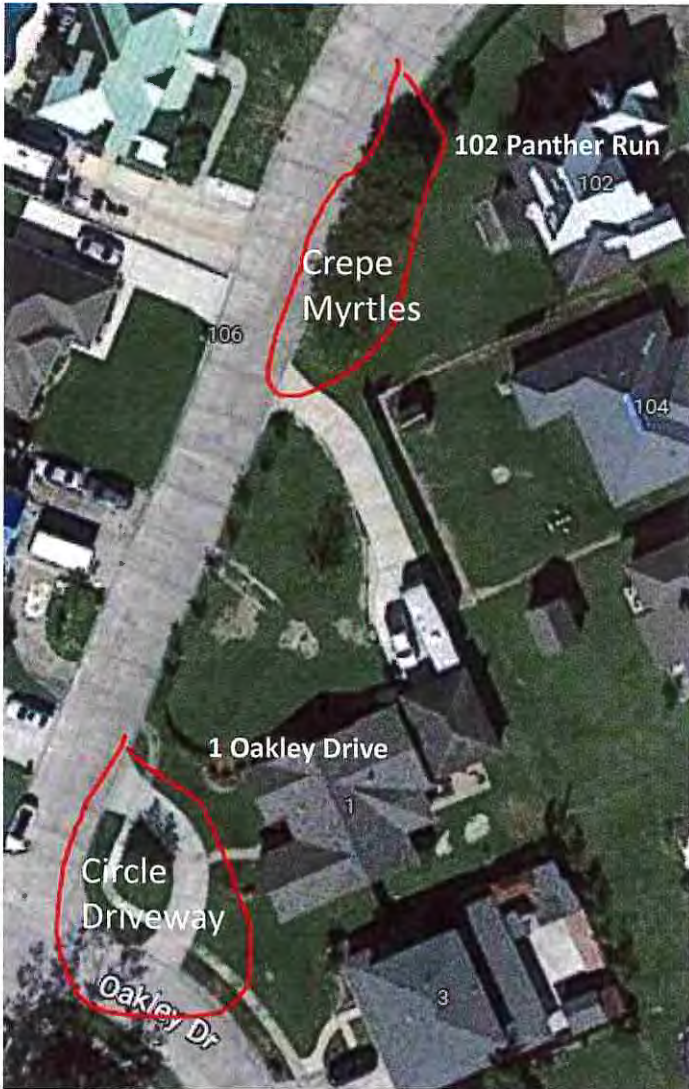
George and Lisa Lou

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

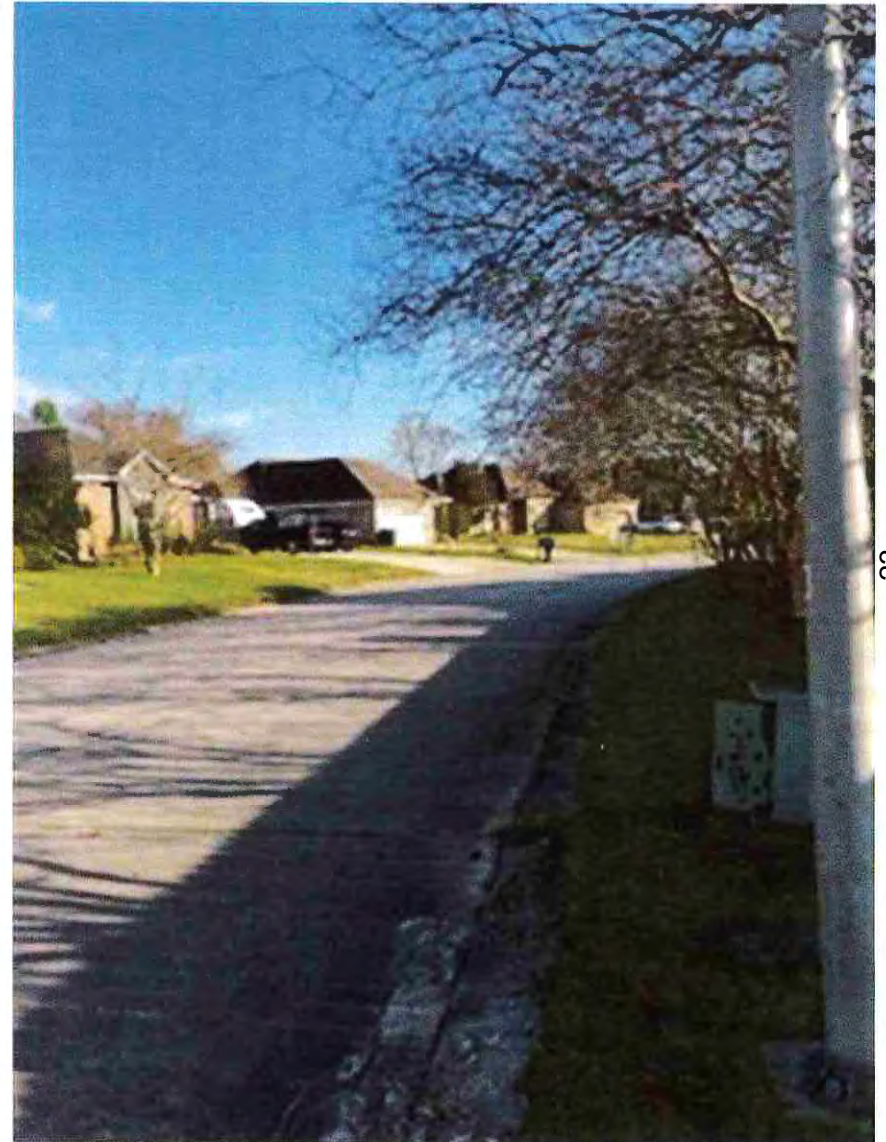


## 1 Oakley Drive

(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

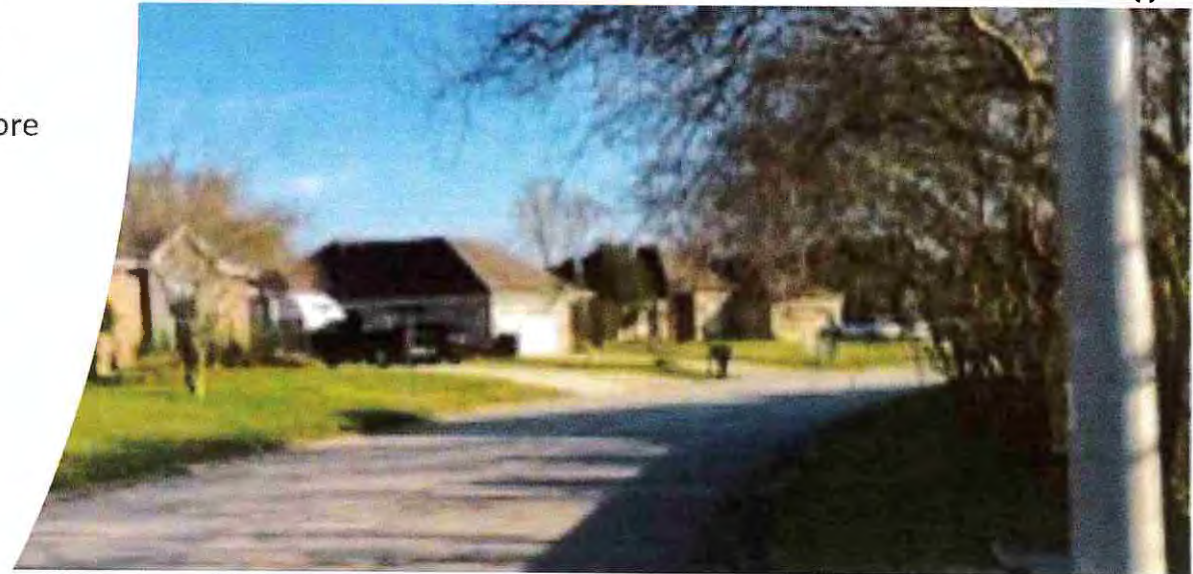


## 221 Nottaway Drive

- 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



- “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

STANTON HALL DR







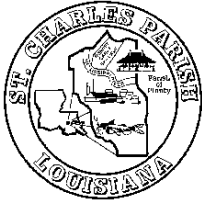




# 2023-9-ZBA, George & Lisa Lou

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**  
 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 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 EVACLAIRE Noto@gmail.com

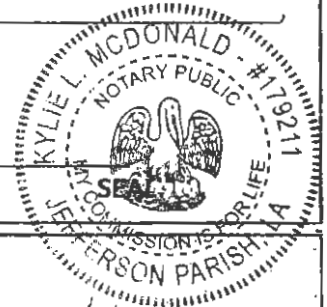
**APPLICANT TESTIMONY:** Why can't your project meet the zoning regulations? \_\_\_\_\_

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**

<p><b>OWNER:</b>  <u>EVA Noto</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.  <u>Eva Noto</u>  <small>(Signature of owner)</small></p>	<p><b>NOTARY PUBLIC:</b>          Subscribed and sworn to before me this <u>6</u> day          of <u>MARCH</u>, 20 <u>23</u> in my          office at <u>Route</u>          Louisiana.  <u>[Signature]</u>  <small>(Signature of Notary Public)</small></p>
---	---



**FOR OFFICE USE ONLY:**

ZBA Case #: \_\_\_\_\_ Property Identification #: 201800800002 Date submitted: 3/6/23

Receipt #: 520100001 Flood Zone: X Zoning District: R1A

Subdivision Name: Davis Heights

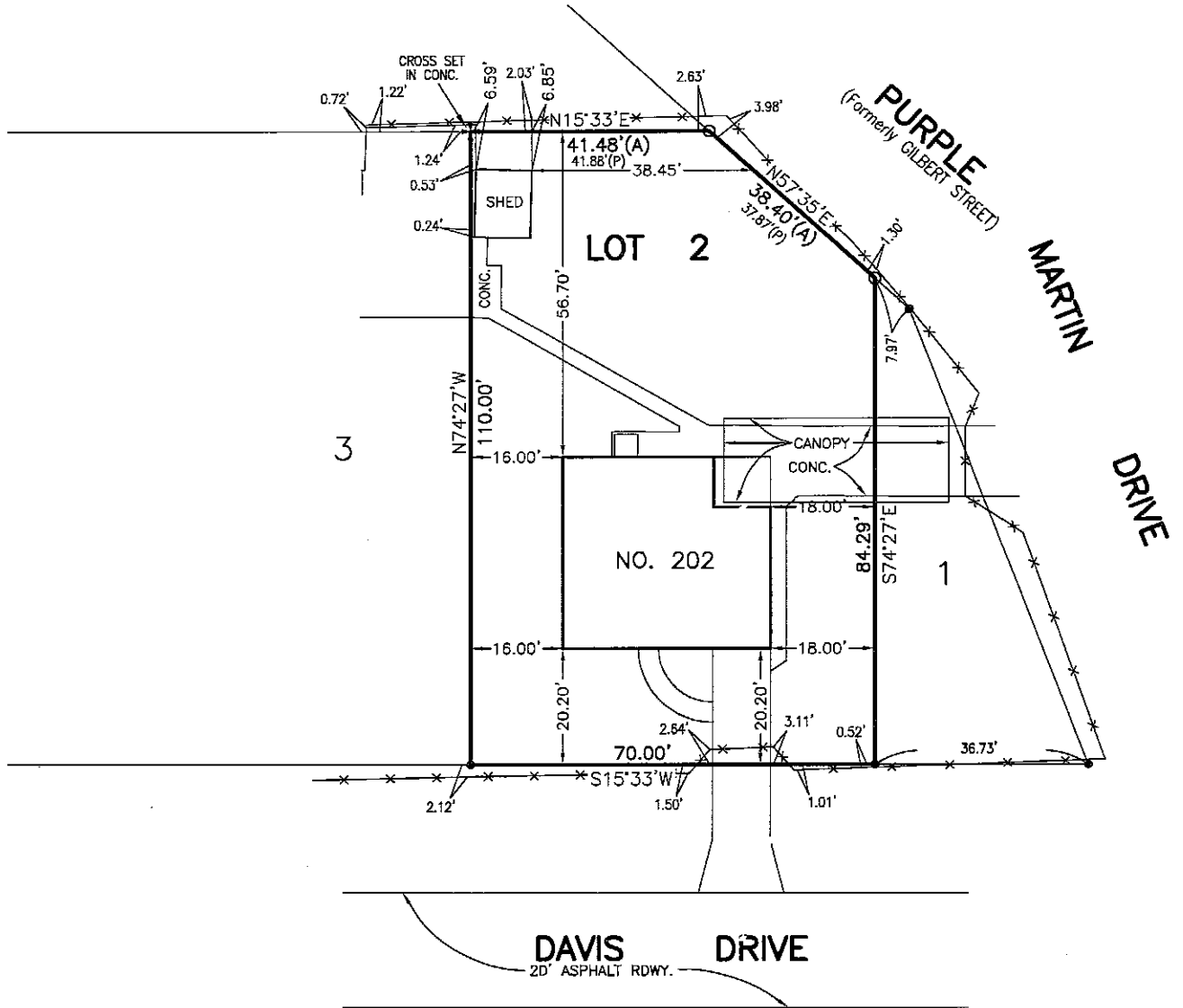
Square # \_\_\_\_\_ Lot # 1 Block B Property sq. ft. 7652

Code Section being appealed: A. Section VI B. [ ] 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

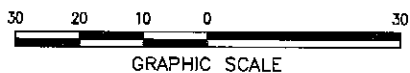
**LEGEND**  
 ● = 1/2" IRON ROD FOUND  
 ○ = 1/2" IRON ROD SET  
 ✕ = CROSS SET  
 ✕ = FENCE  
 (A) = ACTUAL  
 (P) = PLAN  
 BEARINGS ARE BASED  
 ON REFERENCE PLAN

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**



202 Davis Dr

WORK TO BE PERFORMED AS

ADDRESS

CITY STATE

DATE OF PLANS

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

Area below for additional description and/or drawings

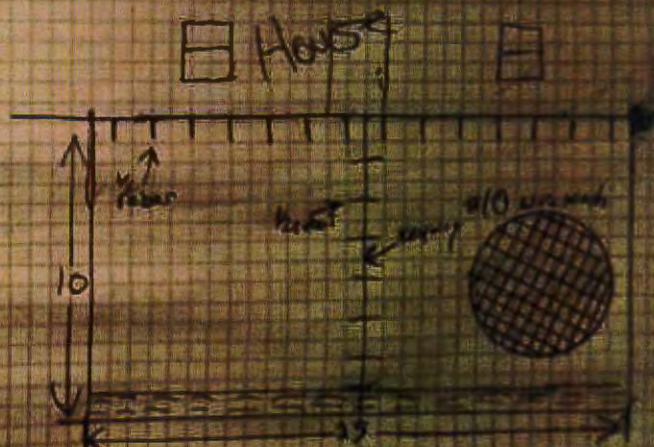
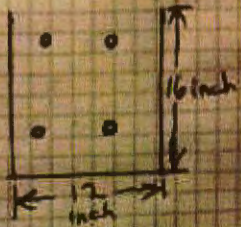
Thickness of slab 4 inch

1/2 inch rebar in slab + beam

4 inch keyway joints

3,000 Psi concrete

12x16 footing  
with 4 rebar run  
throughout footing

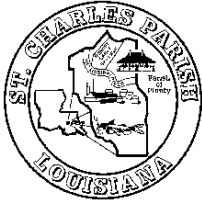


# 2023-10-ZBA, Eva Noto

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><b>OWNER:</b></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><b>NOTARY PUBLIC:</b></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 PRICKEY  NOTARY PUBLIC  PARISH OF ST. CHARLES  ID# 15308 <b>SEAL</b></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





**Department of Planning & Zoning  
Staff Report – Zoning Board of Adjustments  
Case No. 2023-12-ZBA**

**GENERAL APPLICATION INFORMATION**

**NAME/ADDRESS OF APPLICANT:**

Evan Barbier  
108 Sheila Court  
Luling, LA 70070  
504.717.5264; caitlyn.barbier@ochsner.org

**LOCATION OF SITE:**

250 Grand Bayou Road, Des Allemands; Lot 13B of Sunset Ridge La Pâturage Ranchettes

**REQUESTED ACTION:**

Reduce the minimum building elevation from AE +7 ft. NAVD 88 to -1.84 ft. NAVD 88 which is 12 in. above the centerline of the street for a single-family house.

**SITE INFORMATION**

**SIZE OF PARCEL:** 75,036.97 sq. ft. (1.723 acres)

**EXISTING ZONING:** O-L, Open Land District

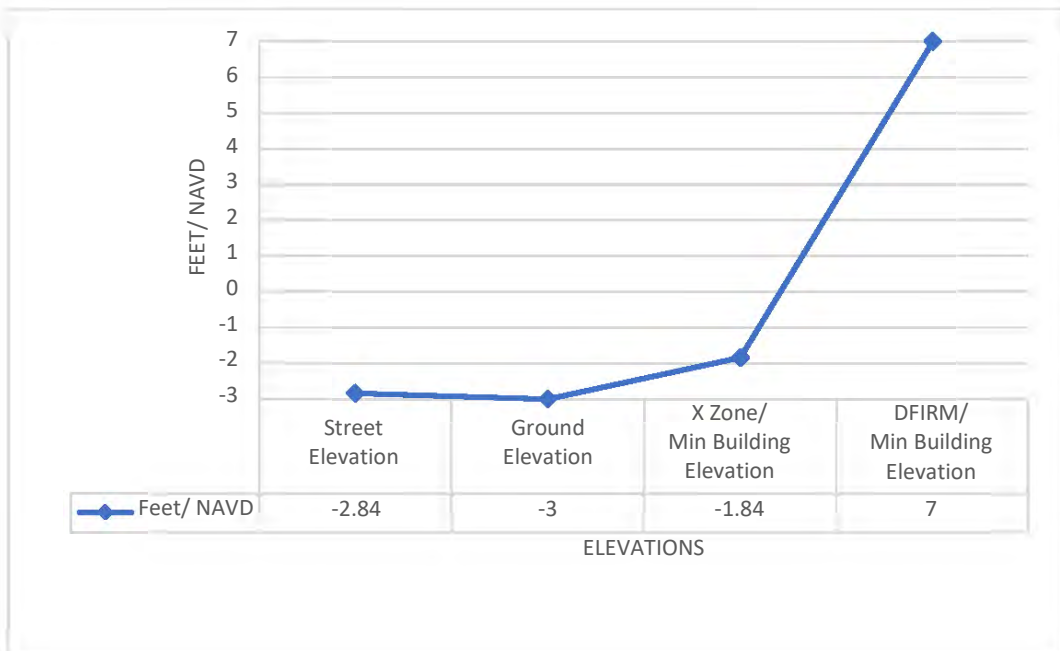
**SURROUNDING ZONING AND LAND USE:** O-L zoning surrounds the site. Single-family sites abut the property on the West and East. Undeveloped and partially wooded land abuts the site on the North and South.

**FUTURE LAND USE RECOMMENDATION:** Low-Density Residential

**TRAFFIC ACCESS:** Grand Bayou Road

**UTILITIES:** Standard utilities serve the site

**BASE FLOOD ELEVATION (BFE):** X-Zone with a preliminary DFIRM AE +7 ft. NAVD



**APPLICABLE CODE REGULATION(S)**

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

2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
  - a. The danger to life and property due to flooding or erosion damage;
  - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - c. The danger that materials may be swept onto other lands to the injury of others;
  - d. The compatibility of the proposed use with existing and anticipated development;
  - e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - f. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;

- g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan of the area.

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

a. Appeal Board:

- 1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2. Omitted
- 3. Omitted
- 4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
- 5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

- 1. **Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level**, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. **As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.**
- 2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
- 3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- 4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- 8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**Appendix A. Section XX. Flood Damage Prevention**

C. General Provisions:

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

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

- 12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a



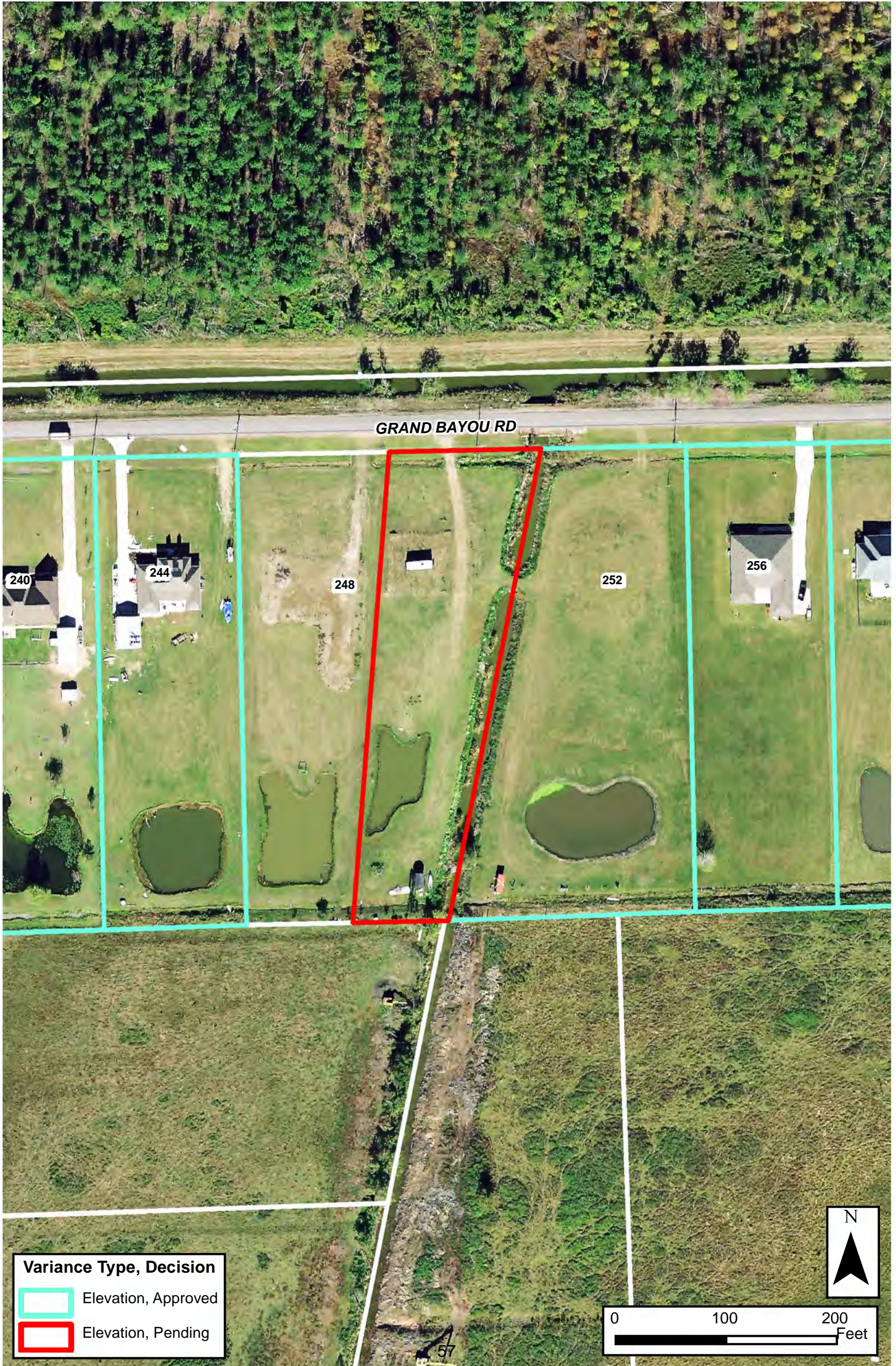
flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

<b>DEPARTMENT ANALYSIS &amp; FINDINGS</b>
---

1. The request is to reduce the minimum building elevation for a house at 250 Grand Bayou Road.
2. Lot 13B was subdivided Lot 13 in 2018; the minimum building elevation at that time was +7 ft. NAVD.
3. The parent lot 13 was platted in 2004; the minimum building elevation at the time was 1 ft. above the centerline of Grand Bayou Road.
4. At 1.723 acres, the lot is larger than ½ acre.
5. Section XX.D.5.b.1 of the Zoning Ordinance, the procedures for variances from the Flood Damage Prevention Ordinance states, "As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases."
6. The effective Flood Insurance Rate Map (FIRM) shows the lot in a X-zone which is NOT a Special Flood Hazard Area (SFHA).
7. St. Charles Parish requires a minimum building elevation of 1 ft. above the centerline of the street in X zones; the centerline of the Grand Bayou Road at the location is -2.84 NAVD 88.
8. The Preliminary Digital FIRM shows the lot in a SFHA—an AE zone-- with the base flood reaching 7 ft. above mean sea level (NAVD 88 datum).
9. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive."
10. This means the minimum building elevation at 250 Grand Bayou Road is +7 ft. NAVD 88.
11. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevation as follows:
  - from 5 ft. to 1 ft. NAVD 88 at 256 Grand Bayou Road (2009-14-ZBA)
  - from 5 ft. to 2 ft. NAVD 88 at 240 Grand Bayou Road (2012-06-ZBA)
  - from 6 ft. to 0 ft. NAVD 88 at 208 Grand Bayou Road (2014-19-ZBA)
  - from 7 ft. to -1.81 NAVD 88 at 260 Grand Bayou Road (2016-03-ZBA)
  - from 7 ft. to -1.90 NAVD 88 at 264 Grand Bayou Road (2017-03-ZBA)
  - from 7 ft. to -1 NAVD 88 at 244 Grand Bayou Road (2018-14-ZBA)
  - from 7 ft. to 1.26 NAVD 88 at 292 Grand Bayou Road (2021-08-ZBA)
  - from 6 ft. to -1 NAVD 88 at 228 Grand Bayou Road (2021-64-ZBA)
  - from 7 ft. to -1.2 NAVD 88 at 252 Grand Bayou Road (2021-68-ZBA)
  - from 7 ft. to -1.5 NAVD 88 at 268 Grand Bayou Road (2021-69-ZBA)
12. In order to meet regulations, the property owner could place the building and machinery at the minimum required elevation on pilings, columns, or fill.
13. If FEMA requires the Parish to adopt the Preliminary D-FIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagee to purchase flood insurance, and the cost could be high.
14. The property owner has signed the addendum to the application for a variance from minimum building elevation requirements and the acknowledgement and indemnification agreement.

# 2023-12-ZBA, Evan Barbier

Reduce the required construction elevation to permit a single-family house.





**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 250 Grand Bayou Rd.

City Des Allemands State LA Zip 70030

Subdivision Sunset Ridge La Pature Ranchettes Lot 13B Block \_\_\_\_\_ Section \_\_\_\_\_

Owner/Applicant Name Evan Michael Barbier

Mailing Address 108 Sheila Ct.

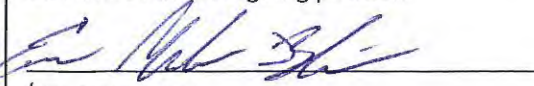
City Luling State LA Zip 70070

Phone # (504) 717-5264 Email caitlyn.barbier@ochsner.org

**APPLICANT TESTIMONY:** Why can't your project meet the zoning regulations? Building at flood elevation would be unaffordable from current elevation. Multiple homes on the same street recently built below required base flood elevation.

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:**  
Evan Michael Barbier 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 of owner)

**NOTARY PUBLIC:**  
Subscribed and sworn to before me this 13<sup>th</sup> day  
of April, 20 23 in my  
office at in St. Charles Parish,  
Louisiana.  
Donna Sieua commissioned  
(Signature of Notary Public) #56432 SEAL for life

**FOR OFFICE USE ONLY:**

ZBA Case #: 2023-12-28A Property Identification #: 40500000013B Date submitted: 4/14/23  
Receipt #: \_\_\_\_\_ Flood Zone: DFIRM A&T Zoning District: O-L  
Subdivision Name: Sunset Ridge LA PATURE  
Square # \_\_\_\_\_ Lot # 13B Block \_\_\_\_\_ Property sq. ft. 73,567.618  
Code Section being appealed: App. A Sec. XX



PARISH OF SAINT CHARLES  
DEPARTMENT OF PLANNING AND ZONING

**ADDENDUM TO APPLICATION FOR VARIANCE FROM  
BASE FLOOD ELEVATION REQUIREMENTS**

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

**COMPLETE THE FOLLOWING:**

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation? yes
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places. (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes \_\_\_\_\_ No ✓
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.)
4. Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
6. Is your lot size less than one-half (1/2) acre? NO  
(As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.)
7. Provide the following information and attachments:
  - A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached)
  - B. Total square footage of parcel: 75,036
  - C. Existing average grade at center of property and existing grades of all corners: \_\_\_\_\_
  - D. Existing center line street grades: -1.20
  - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: 20' from property line, house ground level
  - F. Any other physical features which may affect the granting or denial of the application (i.e. drainage canals, levees, etc.): lot is abutting to drainage canal
  - G. Photographs of the property and adjacent properties.
  - H. Any other pertinent information or documents to support this request.

**Acknowledgement and Indemnification Agreement for Elevation Variances**

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

Evan Michael Barbier, (hereinafter "appearers"). The appearers acknowledged  
(NAME)

that they are the owners of the property located at 250 Grand Bayou Rd.,  
(ADDRESS)

Des Allemands, LA 70030, and that said property was acquired by  
(CITY, STATE, ZIP)

Instrument registered in the official records of St. Charles Parish at COB 864 FOLIO 326.

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA Preliminary DFIRM is AE7; however, the building(s) elevation will meet the National Flood Insurance Program (NFIP) effective map requirements at 1.00 Above street.

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the request of the appearers.

Done and passed before me this 13th day of April, 2023.

WITNESSES:

Michael Roger  
(Signature)

Michael Roger  
(Print Name)

Donna Sierra

NOTARY PUBLIC

Donna Sierra  
(Print Name)

APPEARERS:

Evan Michael Barbier  
(Signature)

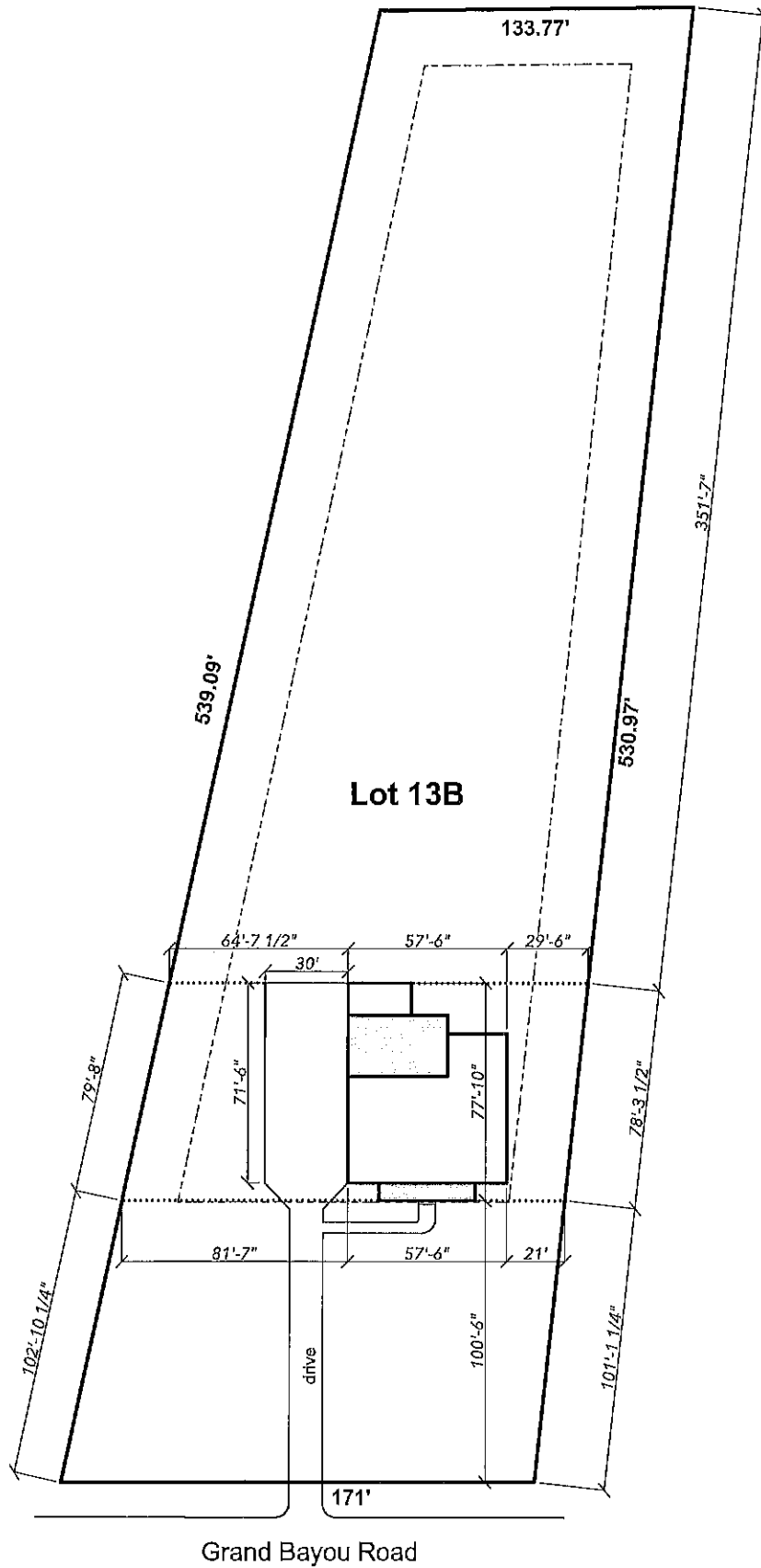
Evan Michael Barbier  
(Print Name)

BAR NO. 56432

Commissioned for life

Seal Required



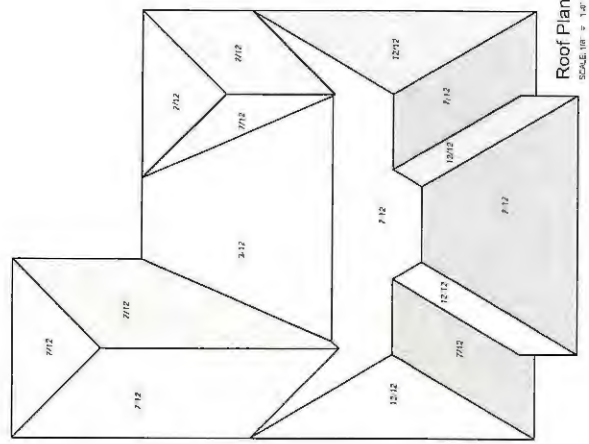
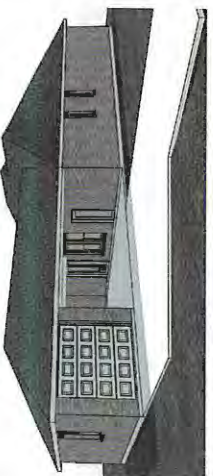
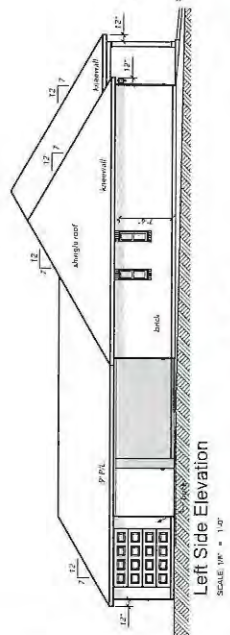
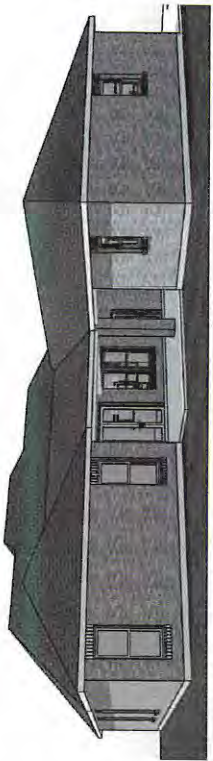
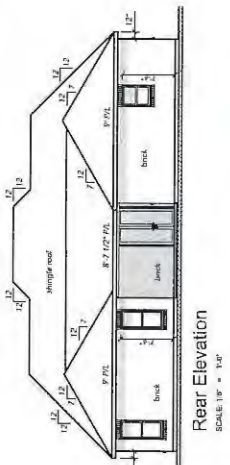
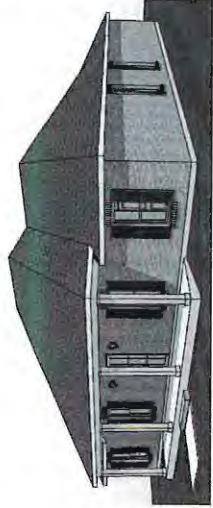
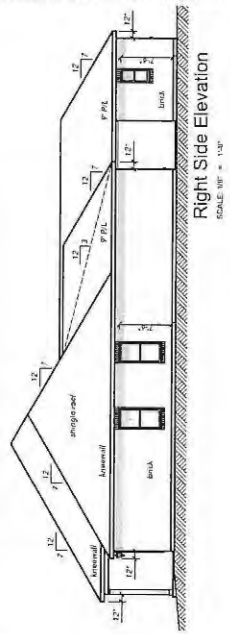
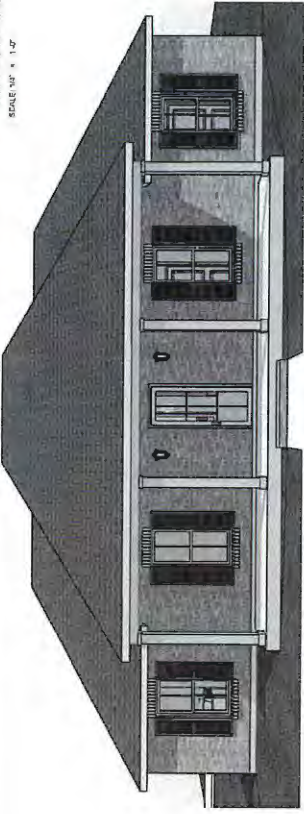
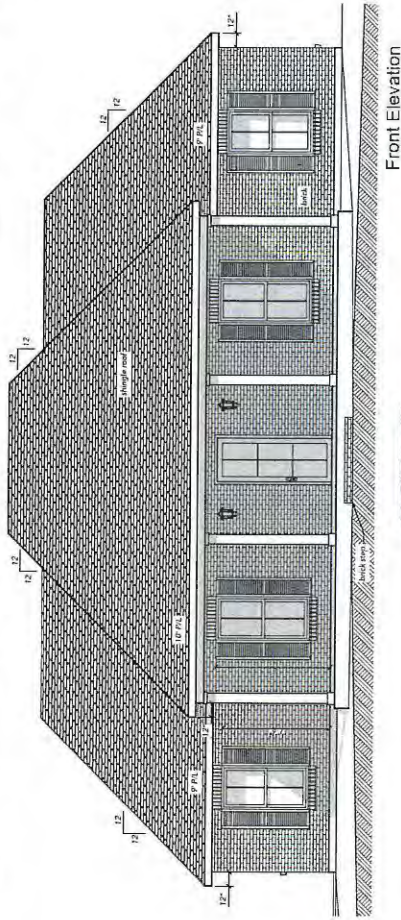


Evan and Caitlyn Barbier Lot 13B, Grand Bayou Rd. Des Allemands, LA. 70030	<b>Plot Plan</b> Scale: 1" = 40'	<b>Setbacks</b>	<b>Date</b>
		Front..... 100'	4/5/23
		Right Side..... 20'	PROJECT NO: 7137
		Left Side..... 20'	
		Rear..... 20'	



PROJECT NO: 7137  
DATE: 4/2/23  
DRAWN BY: RWB  
SHEET TITLE: ELEVATIONS

THESE DRAWINGS OR ANY OF ITS CONTENTS MAY NOT BE REPRODUCED OR USED WITHOUT AUTHORIZATION AND WRITTEN PERMISSION FROM SOUTHERN COUNTRY DESIGNS, L.L.C. AND IS THE EXCLUSIVE PROPERTY OF SOUTHERN COUNTRY DESIGNS, L.L.C.



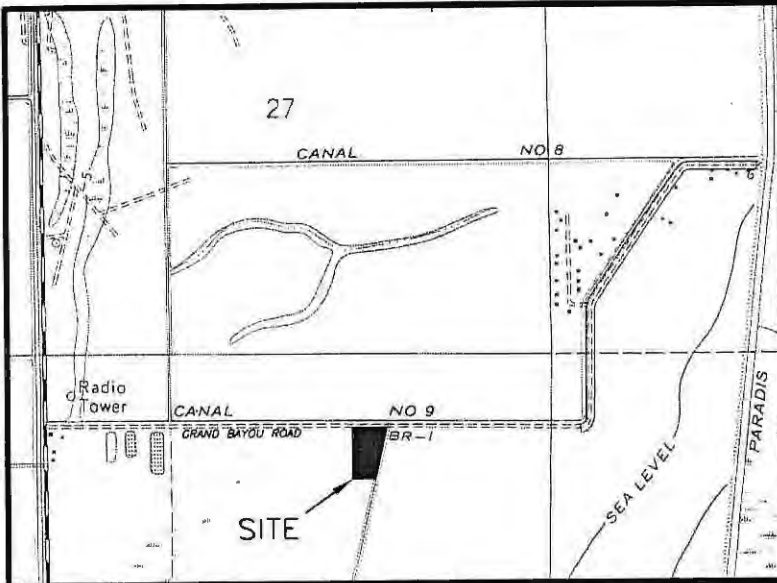




260 Grand Bayou Rd



250 Grand Bayou Rd



APPROVALS:

*Billy Broth*  
 St. Charles Parish Planning Commission Chairman  
 5/3/18  
 Date

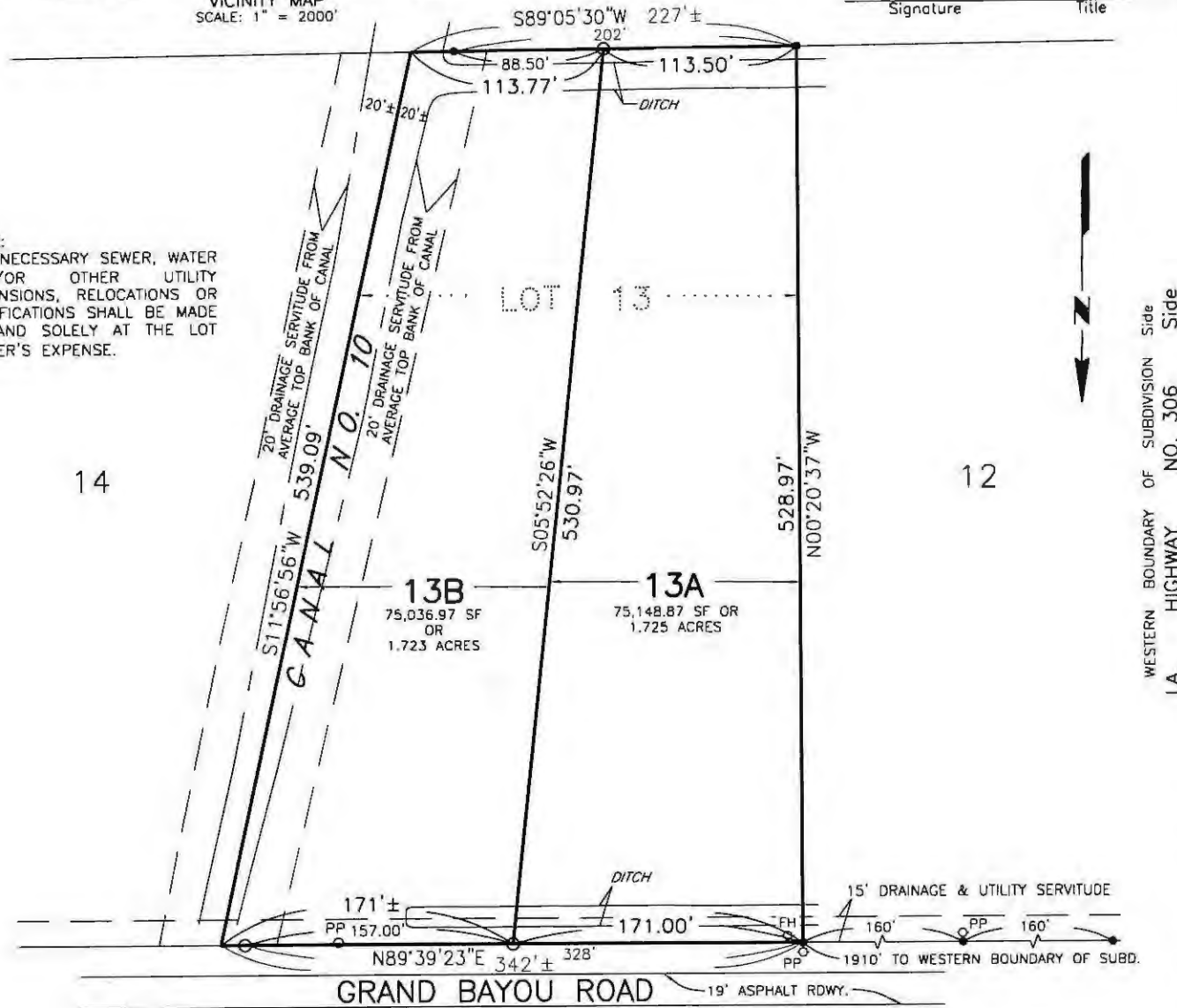
*[Signature]*  
 St. Charles Parish President  
 5/9/18  
 Date

Recorded in The Clerk of Court's office  
 St. Charles Parish on the 14 day of  
 May 2018, in Book 862  
 Folio 309, Entry # 432385

Signature \_\_\_\_\_ Title \_\_\_\_\_

VICINITY MAP  
 SCALE: 1" = 2000'

NOTE:  
 ALL NECESSARY SEWER, WATER  
 AND/OR OTHER UTILITY  
 EXTENSIONS, RELOCATIONS OR  
 MODIFICATIONS SHALL BE MADE  
 BY AND SOLELY AT THE LOT  
 OWNER'S EXPENSE.



**RESUBDIVISION OF LOT 13  
 SUNSET RIDGE  
 La Pâtre Ranchettes  
 INTO LOTS 13A & 13B  
 IN SECTION 34, T14S - R20E  
 ST. CHARLES PARISH, LOUISIANA  
 SCALE: 1" = 100'      MARCH 23, 2018**

LEGEND

- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET
- FH = FIRE HYDRANT
- PP = POWER POLE
- BEARINGS ARE BASED ON REFERENCE PLAN

CERTIFIED TO SUNSET RIDGE  
 DEVELOPMENT, LLC

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

REFERENCE PLAN:  
 REVISED FINAL PLAT SUNSET RIDGE La Pâtre RANCHETTES BY LUCIEN C. GASSEN, PLS, DATED JULY 9, 2004, REVISED AUG. 17, 2004

The servitudes shown on this survey are limited to those set forth per reference plot and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data 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.



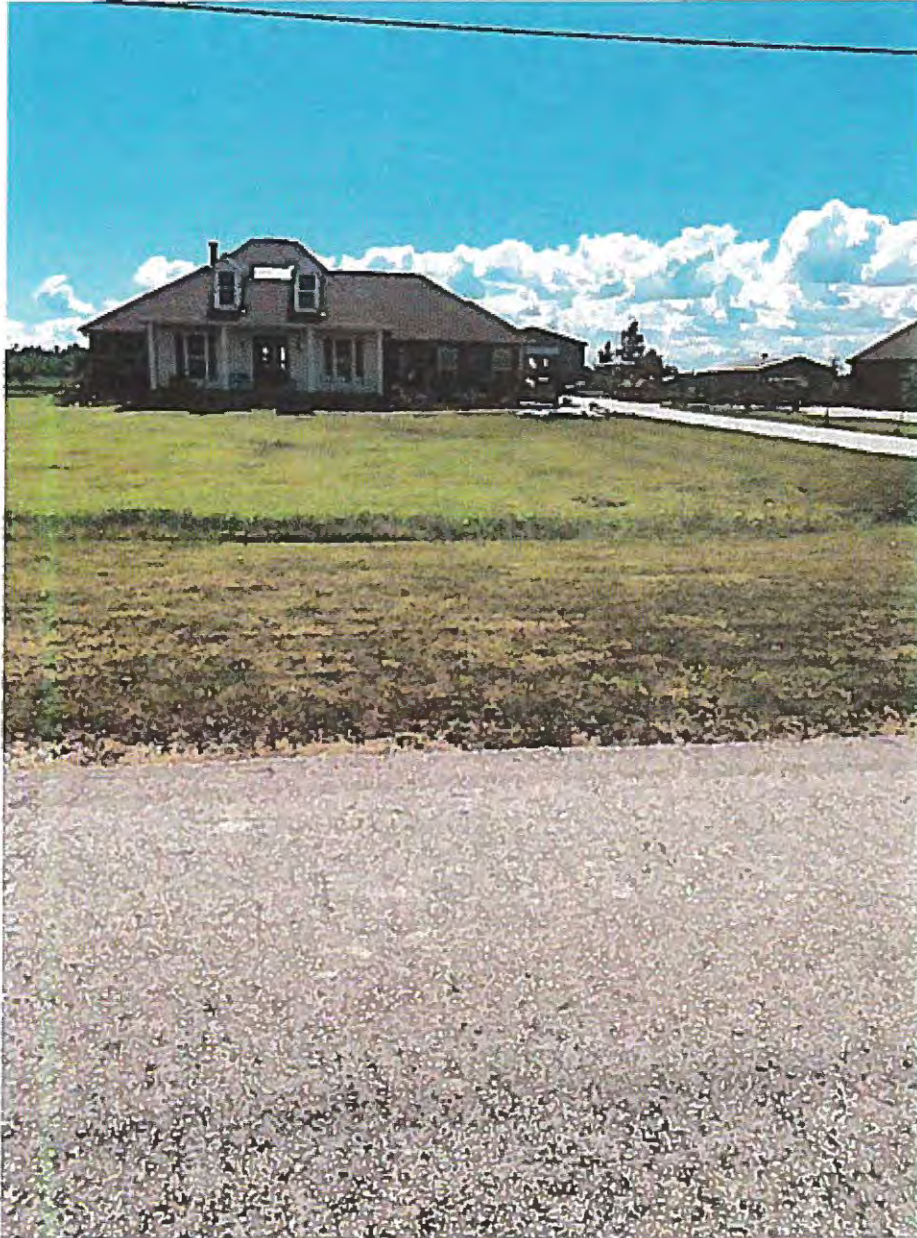
*[Signature]*  
 LOUIS J GASSEN JR, PLS  
 Registration No. 4945  
 (985) 785-0745  
 1026 Gassen Street  
 Luling, Louisiana 70070

**LUCIEN C. GASSEN  
 SURVEYING SERVICES**

240 GRAND BAYOU RD.



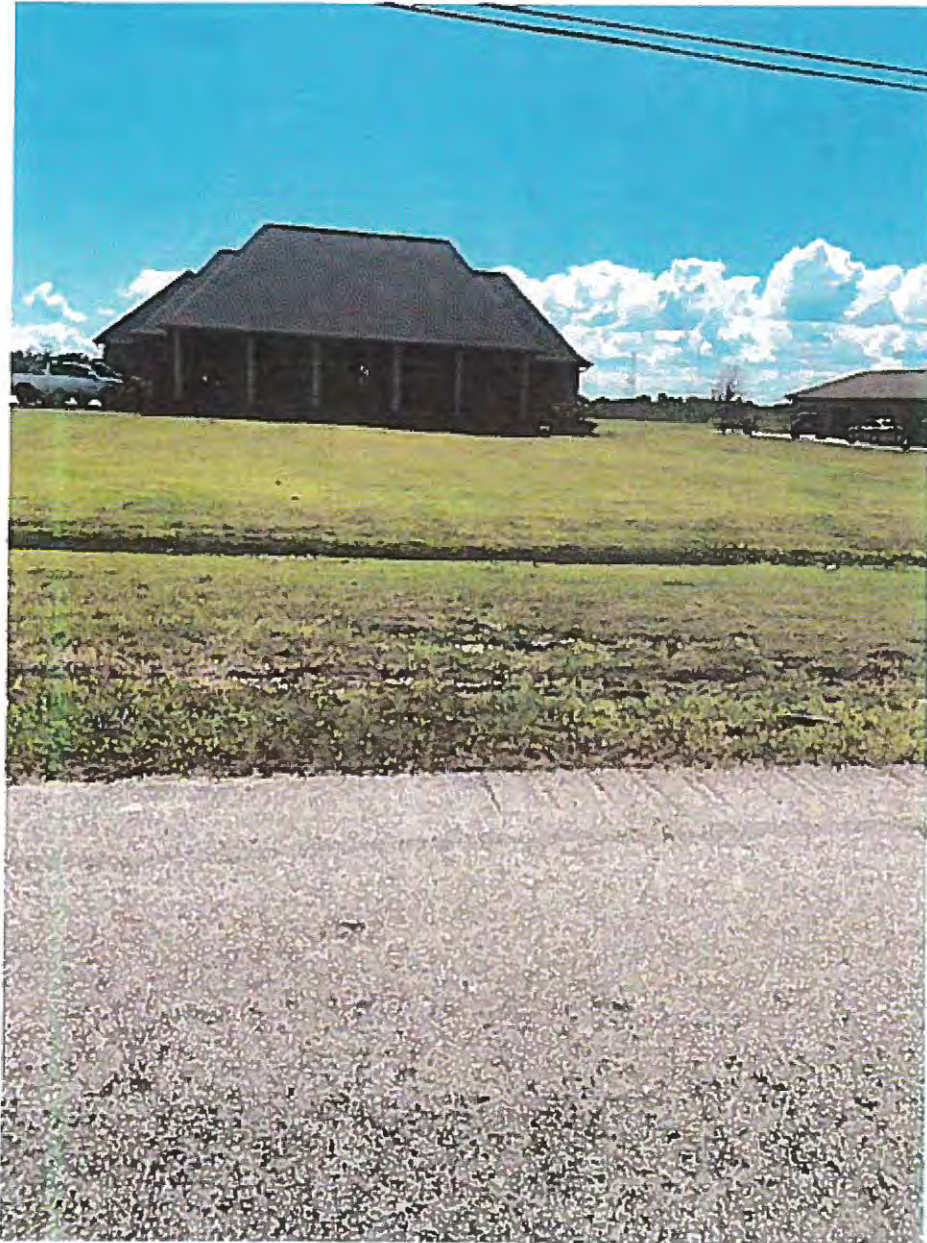
244 GRAND BAYOU RD



256 GRANITE BAYOU RD.



260 GRAND BAYOU RD



264 GRAND BAYOU RD









**Department of Planning & Zoning  
Staff Report – Zoning Board of Adjustments  
Case No. 2023-13-ZBA**

**GENERAL APPLICATION INFORMATION**

**NAME/ADDRESS OF APPLICANT:**

Robert and Heidi Lasserre  
102 Cadow Street  
Paradis, LA 70080  
985.210.9275; lasserreroberth@yahoo.com

**LOCATION OF SITE:**

318 Kirk Drive, Paradis; Pecan Oak Subdivision, Block A, Lot C-6

**REQUESTED ACTION:**

Reduce the minimum building elevation from +5 ft. NAVD 88 to no lower than -.476 ft. NAVD 88, which is 12 in. above the centerline of the street.

**SITE INFORMATION**

**SIZE OF PARCEL:** 5,500 sq. ft.

**EXISTING ZONING:** R-1A(M), Single family residential detached conventional homes, manufactured homes, and mobile homes—Medium density.

**SURROUNDING ZONING AND LAND USE:** R-1A(M) zoning surrounds the site. Manufactured and mobile homes are adjacent to the site.

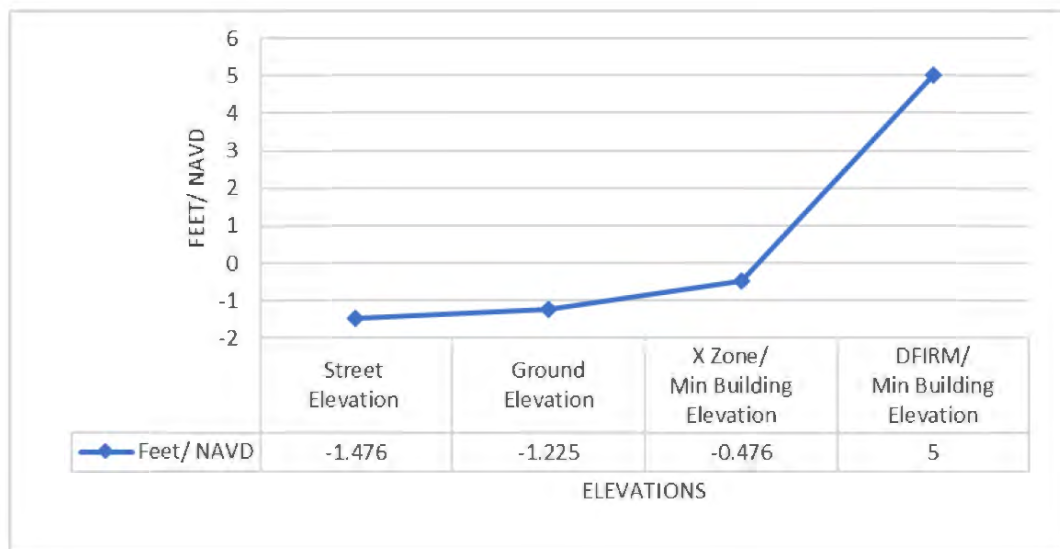
**FUTURE LAND USE RECOMMENDATION:** Low-Density Residential

**TRAFFIC ACCESS:** Kirk Drive, a local or tertiary street

**UTILITIES:** Standard utilities are available for the site

**FLOOD ZONE:** Effective FIRM—X Zone; Preliminary D-FIRM AE +5 ft. NAVD 88

**MINIMUM BUILDING ELEVATION:** X-Zone -.476 ft. NAVD 88; AE +5 ft. NAVD 88



**APPLICABLE CODE REGULATION(S)**

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

2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
- The danger to life and property due to flooding or erosion damage;
  - The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - The danger that materials may be swept onto other lands to the injury of others;
  - The compatibility of the proposed use with existing and anticipated development;
  - The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;
  - The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan of the area.

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

a. Appeal Board:

- 1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2. Omitted
- 3. Omitted
- 4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
- 5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

- 1. **Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level**, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.
- 2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
- 3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- 4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- 8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**Appendix A. Section XX. Flood Damage Prevention**

C. General Provisions:

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

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

- 12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter

walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

#### **DEPARTMENT ANALYSIS & FINDINGS**

1. The request is to reduce the minimum building elevation for a mobile home at 318 Kirk Drive.
2. The lot was platted in 1981; there was no minimum building elevation when the lot was platted.
3. The lot is less than ½ acre.
4. The effective Flood Insurance Rate Map (FIRM) shows the lot in a X-zone which is NOT a Special Flood Hazard Area (SFHA).
5. St. Charles Parish requires a minimum building elevation of 1 ft. above the centerline of the street in X zones, and the centerline of the Kirk Drive at the location is -1.467 NAVD 88.
6. The Preliminary DFIRM shows the lot in a SFHA—an AE zone the model base flood reaching 5 ft. NAVD 88 above mean sea level.
7. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive."
8. This means the minimum building elevation at 318 Kirk Drive is +5 ft. NAVD 88.
9. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevation as follows:
  - from 5 ft. to 2.5 ft. NAVD 88 at 326 Kirk Street (2018-17-ZBA)
  - from 5 ft. to -0.46 ft. NAVD 88 at 138 Julie Street (2019-05-ZBA)
  - from 5 ft. to -0.46 ft. NAVD 88 at 141 Julie Street (2019-29-ZBA)
10. In order to meet regulations, the property owner could place the building and machinery at the minimum required elevation on pilings, columns, or fill.
11. If FEMA requires the Parish to adopt the Preliminary D-FIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagee to purchase flood insurance, and the cost could be high.
12. The property owner has signed the addendum to the application for a variance from minimum building elevation requirements and the acknowledgement and indemnification agreement.

# 2023-13-ZBA, Robert and Heidi Lasserre

Reduce the required construction elevation to permit a mobile home.





**Department of Planning & Zoning**  
**Staff Report – Zoning Board of Adjustments**  
**Case No. 2023-13-ZBA**

**GENERAL APPLICATION INFORMATION**

**NAME/ADDRESS OF APPLICANT:**

Robert and Heidi Lasserre  
 102 Cadow Street  
 Paradis, LA 70080  
 985.210.9275; lasserreroberth@yahoo.com

**LOCATION OF SITE:**

318 Kirk Drive, Paradis; Pecan Oak Subdivision, Block A, Lot C-6

**REQUESTED ACTION:**

Reduce the minimum building elevation from +5 ft. NAVD 88 to no lower than -.476 ft. NAVD 88, which is 12 in. above the centerline of the street.

**SITE INFORMATION**

**SIZE OF PARCEL:** 5,500 sq. ft.

**EXISTING ZONING:** R-1A(M), Single family residential detached conventional homes, manufactured homes, and mobile homes—Medium density.

**SURROUNDING ZONING AND LAND USE:** R-1A(M) zoning surrounds the site. Manufactured and mobile homes are adjacent to the site.

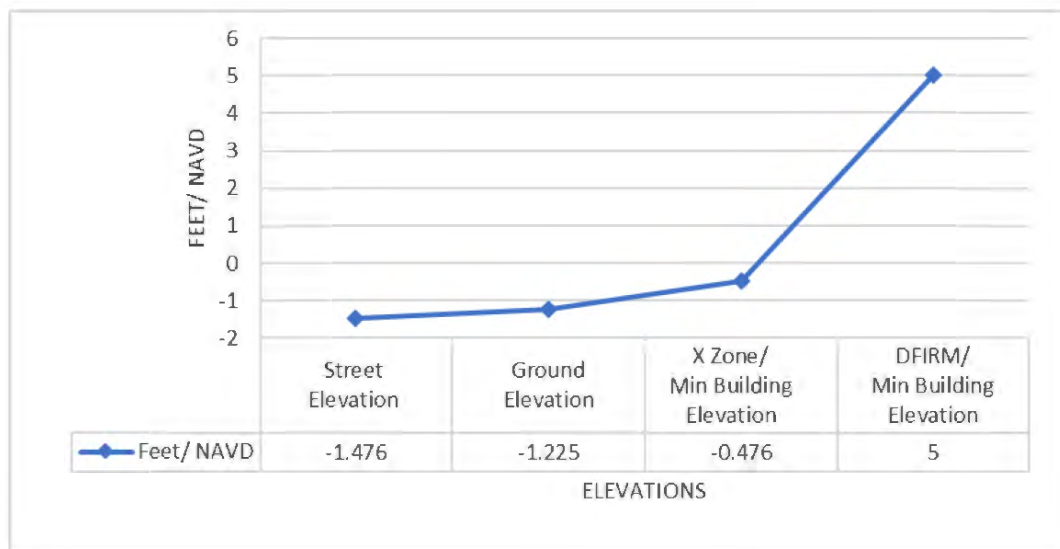
**FUTURE LAND USE RECOMMENDATION:** Low-Density Residential

**TRAFFIC ACCESS:** Kirk Drive, a local or tertiary street

**UTILITIES:** Standard utilities are available for the site

**FLOOD ZONE:** Effective FIRM—X Zone; Preliminary D-FIRM AE +5 ft. NAVD 88

**MINIMUM BUILDING ELEVATION:** X-Zone -.476 ft. NAVD 88; AE +5 ft. NAVD 88



**APPLICABLE CODE REGULATION(S)**

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

2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
- The danger to life and property due to flooding or erosion damage;
  - The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - The danger that materials may be swept onto other lands to the injury of others;
  - The compatibility of the proposed use with existing and anticipated development;
  - The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;
  - The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan of the area.

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

a. Appeal Board:

- 1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2. Omitted
- 3. Omitted
- 4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
- 5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

- 1. **Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level**, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.
- 2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
- 3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- 4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- 8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**Appendix A. Section XX. Flood Damage Prevention**

C. General Provisions:

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

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

- 12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter

walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

#### **DEPARTMENT ANALYSIS & FINDINGS**

1. The request is to reduce the minimum building elevation for a mobile home at 318 Kirk Drive.
2. The lot was platted in 1981; there was no minimum building elevation when the lot was platted.
3. The lot is less than ½ acre.
4. The effective Flood Insurance Rate Map (FIRM) shows the lot in a X-zone which is NOT a Special Flood Hazard Area (SFHA).
5. St. Charles Parish requires a minimum building elevation of 1 ft. above the centerline of the street in X zones, and the centerline of the Kirk Drive at the location is -1.467 NAVD 88.
6. The Preliminary DFIRM shows the lot in a SFHA—an AE zone the model base flood reaching 5 ft. NAVD 88 above mean sea level.
7. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive."
8. This means the minimum building elevation at 318 Kirk Drive is +5 ft. NAVD 88.
9. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevation as follows:
  - from 5 ft. to 2.5 ft. NAVD 88 at 326 Kirk Street (2018-17-ZBA)
  - from 5 ft. to -0.46 ft. NAVD 88 at 138 Julie Street (2019-05-ZBA)
  - from 5 ft. to -0.46 ft. NAVD 88 at 141 Julie Street (2019-29-ZBA)
10. In order to meet regulations, the property owner could place the building and machinery at the minimum required elevation on pilings, columns, or fill.
11. If FEMA requires the Parish to adopt the Preliminary D-FIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagee to purchase flood insurance, and the cost could be high.
12. The property owner has signed the addendum to the application for a variance from minimum building elevation requirements and the acknowledgement and indemnification agreement.





**ST. CHARLES PARISH**  
**DEPARTMENT OF PLANNING AND ZONING**  
**APPLICATION TO THE ZONING BOARD OF ADJUSTMENT**  
 P.O. Box 302 • Mahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447


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

Municipal Address of Request 318 KIRK DRIVE  
 City PARADIS State LA Zip 70080  
 Subdivision PECAN OAK SUBD. Lot C6 Block A Section \_\_\_\_\_  
 Owner/Applicant Name ROBERT AND HEIDI LASSERRE  
 Mailing Address 102 CADOW STREET  
 City PARADIS State LA Zip 70080  
 Phone # 985-210-9275 Email LASSERRE ROBERT @ YAHOO.COM

**APPLICANT TESTIMONY:** Why can't your project meet the zoning regulations? WE HAVE AN ELDERLY COUPLE MOVING THEIR MOBILE HOME FROM 100 CADOW STREET TO 318 KIRK DRIVE. THEY WOULD HAVE TROUBLE GOING UP AND DOWN A 5 FOOT PLUS ELEVATION.

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><b>OWNER:</b>  <u>Heidi Lasserre</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.  <u>Heidi Lasserre</u>  <small>(Signature of owner)</small></p>	<p><b>NOTARY PUBLIC:</b>          Subscribed and sworn to before me this <u>17<sup>th</sup></u> day          of <u>April</u>, 20<u>23</u> in my          office at <u>Boutte</u>          Louisiana.    <small>(Signature of Notary Public)</small></p> <div data-bbox="1063 1428 1461 1575" style="border: 1px solid red; padding: 5px;"> <p><b>DERYLE A. BOURGEOIS</b>          Notary ID #12032          Notary Public          Jefferson Parish, LA          My Commission <b>SEAL</b>ed for Life</p> </div>
---	--

**FOR OFFICE USE ONLY:**

ZBA Case #: 2023-13-2BA Property Identification #: 402300A000C6 Date submitted: 4/17/23  
 Receipt #: \_\_\_\_\_ Flood Zone: X / AES Zoning District: R-1A(M)  
 Subdivision Name: Pecan Oak Subd.  
 Square # \_\_\_\_\_ Lot # C-6 Block A Property sq. ft. 5,474.398  
 Code Section being appealed: App A, Sec xx



**PARISH OF SAINT CHARLES  
DEPARTMENT OF PLANNING AND ZONING**

**ADDENDUM TO APPLICATION FOR VARIANCE FROM  
BASE FLOOD ELEVATION REQUIREMENTS**

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

**COMPLETE THE FOLLOWING:**

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation? YES
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places, (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes \_\_\_\_\_ No X
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.) ADJACENT PROPERTY ARE AT GROUND LEVEL
4. Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.) ELDERLY COUPLE MOVING A MOBILE HOME ON LOT
6. Is your lot size less than one-half (1/2) acre? YES  
(As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.)
7. Provide the following information and attachments:
  - A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached)
  - B. Total square footage of parcel: 5662.8 SQ. FT
  - C. Existing average grade at center of property and existing grades of all corners: \_\_\_\_\_
  - D. Existing center line street grades: \_\_\_\_\_
  - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: \_\_\_\_\_
  - F. Any other physical features which may affect the granting or denial of the application (i.e. drainage canals, levees, etc.): N/A
  - G. Photographs of the property and adjacent properties.
  - H. Any other pertinent information or documents to support this request.

**Acknowledgement and Indemnification Agreement for Elevation Variances**

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

Heidi Lasserre (NAME), (hereinafter "appearers"). The appearers acknowledged

that they are the owners of the property located at 318 Kirk Drive (ADDRESS)

Paradis, LA 70080 (CITY, STATE, ZIP), and that said property was acquired by

instrument registered in the official records of St. Charles Parish at Ins # 473280 COB FOLIO

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA Preliminary DFIRM is \_\_\_\_\_; however, the building(s) elevation will meet the National Flood Insurance Program (NFIP) effective map requirements at \_\_\_\_\_.

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the request of the appearers.

Done and passed before me this 17<sup>th</sup> day of April, 2023.

WITNESSES:  
[Signature]  
(Signature)

Amanda Wedge  
(Print Name)

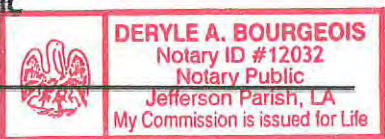
APPEARERS:  
[Signature]  
(Signature)

Heidi Lasserre  
(Print Name)

[Signature]

NOTARY PUBLIC

(Print Name)



BAR NO. \_\_\_\_\_

Seal Required

# 2B ENGINEERING LLC

We specialize in FEMA Elevation Certificates

186 Dunleith Drive  
Destrehan, LA 70047

Phone: 504-920-2125  
Phone: 318-237-1947

Benny E. Herrington III, PE  
President

Buddy E. Herrington

## BENCHMARK CERTIFICATE

### Property Information

Owner's Name Heidi Lasserre Parcel Number 402300A000C6  
Property Address 318 Kirk Drive Paradis, LA 70080  
Lot No. C6 Subdivision Pecan Oak Subdivision

### Flood Insurance Rate Map Information

Parish St. Charles Community Number 220160  
FIRM 220160 0125 Suffix C Map Date June 16, 1992  
Flood Zone X Base Flood Elevation N/A Vertical Datum NGVD 1929

### Benchmark Information

Description #4 rebar Elevation 1.477 feet  
Latitude 29.876778 Longitude -90.431363 Vertical Datum NAVD 88

### Additional Information

St. Charles DFIRM shows lot in an AE flood zone with a base flood elevation of 5.000 feet NAVD 88.

In accordance with Parish Ordinance No. 19-11-4, the bottom of the longitudinal structural I-beam shall be elevated to or above the BFE unless a variance is obtained through the Parish. The building shall be built to a height of 5.000 feet NAVD 88 (6.225 feet up from ground at utility pole near right-front (northeast) property corner.

The purpose of this document is to assure that minimum elevations are being complied with in the floodplain. A known benchmark on the subject property will assist the owner, contractor, inspector and anyone else involved with the project.

I, Benny E. Herrington III (Professional Engineer No. 38999), hereby certify

that on March 31, 2023 a benchmark was established for the property

indicated above. I can be reached at 504-920-2125 to answer any questions.

## Marny Stein

---

**From:** Danielle Honor  
**Sent:** Tuesday, May 9, 2023 9:03 AM  
**To:** Brett Badgerow  
**Cc:** Marny Stein; Chris Welker  
**Subject:** FW: 318 Kirk Drive Paradis, LA 70080 Benchmark Certificate  
**Attachments:** 318 Kirk Drive Paradis, LA 70080 Benchmark Certificate.pdf; PAID Invoice 318 Kirk Drive Paradis, LA 70080 Benchmark Certificate.pdf

**From:** Benny Herrington <benny.herrington@yahoo.com>  
**Sent:** Monday, May 8, 2023 4:25 PM  
**To:** Danielle Honor <dhonor@stcharlesgov.net>  
**Subject:** Fw: 318 Kirk Drive Paradis, LA 70080 Benchmark Certificate

Good afternoon,

The centerline elevation of Kirk Drive in front of the property is -1.476 feet NAVD 88. Please let me know if you need any additional information.

Thanks,

**Benny E. Herrington III, P.E.**  
**2B Engineering, LLC**  
President  
186 Dunleith Drive  
Destrehan, LA 70047  
(504) 920-2125

----- Forwarded Message -----

**From:** Benny Herrington <benny.herrington@yahoo.com>  
**To:** lasserreroberth@yahoo.com <lasserreroberth@yahoo.com>  
**Sent:** Wednesday, April 5, 2023 at 03:13:56 PM CDT  
**Subject:** Fw: 318 Kirk Drive Paradis, LA 70080 Benchmark Certificate

Mr. Lasserre,

Please find the benchmark certificate and paid invoice attached for the referenced property. As discussed I copied Ms. Danielle Honor and Ms. Rechelle Fonseca with St. Charles Planning and Zoning on the previous email. Please let me know if you have any questions or concerns. Thank you for allowing us to work with you!

Thanks,

**Benny E. Herrington III, P.E.**  
**2B Engineering, LLC**  
President  
186 Dunleith Drive  
Destrehan, LA 70047

(504) 920-2125

----- Forwarded Message -----

**From:** Benny Herrington <[benny.herrington@yahoo.com](mailto:benny.herrington@yahoo.com)>

**To:** ROBERT LASSERRE <[lasserrerober@cox.net](mailto:lasserrerober@cox.net)>

**Cc:** Danielle Honor <[dhonor@stcharlesgov.net](mailto:dhonor@stcharlesgov.net)>; Rechelle Fonseca <[rfonseca@stcharlesgov.net](mailto:rfonseca@stcharlesgov.net)>

**Sent:** Tuesday, April 4, 2023 at 07:44:15 PM CDT

**Subject:** 318 Kirk Drive Paradis, LA 70080 Benchmark Certificate

Mr. Lasserre,

Please find the benchmark certificate and paid invoice attached for the referenced property. As discussed I have copied Ms. Danielle Honor and Ms. Rechelle Fonseca with St. Charles Planning and Zoning. Please let me know if you have any questions or concerns. Thank you for allowing us to work with you!

Thanks,

**Benny E. Herrington III, P.E.**

**2B Engineering, LLC**

President

186 Dunleith Drive

Destrehan, LA 70047

(504) 920-2125



**Department of Planning & Zoning  
Staff Report – Zoning Board of Adjustments  
Case No. 2023-14-ZBA**

**GENERAL APPLICATION INFORMATION**

**NAME/ADDRESS OF APPLICANT:**

Robert and Heidi Lasserre  
102 Cadow Street  
Paradis, LA 70080  
985.210.9275; lasserreroberth@yahoo.com

**LOCATION OF SITE:**

449 Estay Lane, Paradis; Estay Subdivision, Lot H

**REQUESTED ACTION:**

Reduce the minimum building elevation from AE +5 ft. NAVD to no less than +1.415 ft. NAVD 88, which is 12 in. above the centerline of the street.

**SITE INFORMATION**

**SIZE OF PARCEL:** Approx 17,060 sq. ft.

**EXISTING ZONING:** R-1A(M), Single family residential detached conventional homes, manufactured homes, and mobile homes—Medium density

**SURROUNDING ZONING AND LAND USE:** R-1A(M) zoning surrounds the site. Single-family site built and mobile homes are adjacent to the site.

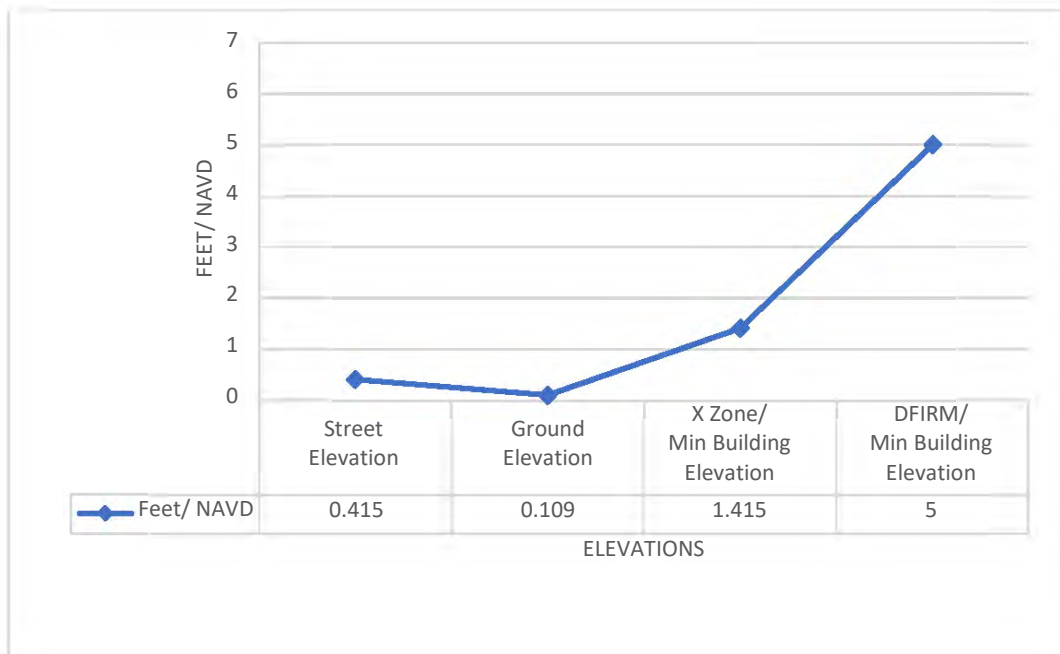
**FUTURE LAND USE RECOMMENDATION:** Low-Density Residential

**TRAFFIC ACCESS:** Estay Lane, a local or tertiary street

**UTILITIES:** Standard utilities are available for the site

**BASE FLOOD ELEVATION (BFE):** X-Zone with a preliminary DFIRM AE +5 ft. NAVD 88

**MINIMUM BUILDING ELEVATION:** +5 ft. NAVD 88



**APPLICABLE CODE REGULATION(S)**

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

2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
  - a. The danger to life and property due to flooding or erosion damage;

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

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

##### a. Appeal Board:

- 1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2. Omitted
- 3. Omitted
- 4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
- 5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

##### b. Conditions for Variances.

- 1. **Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level**, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.
- 2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
- 3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- 4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- 8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

#### **Appendix A. Section XX. Flood Damage Prevention**

##### C. General Provisions:

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



**Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.**

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

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

<b>DEPARTMENT ANALYSIS &amp; FINDINGS</b>
---

1. The request is for reduction of the minimum building elevation for a mobile home at 449 Estay Lane.
2. The lot was platted in 2006; however, the area was developed with single-family houses in site-built and mobile home construction styles on long-term leases for decades before the Parish entered the National Flood Insurance Program.
3. The minimum building elevation in 2006 was 1 ft. above the centerline of the street; when the area developed, there was no minimum building elevation.
4. The lot is less than ½ acre.
5. The effective Flood Insurance Rate Map (FIRM) shows the lot in a X-zone which is NOT a Special Flood Hazard Area (SFHA).
6. St. Charles Parish requires a minimum building elevation of 1 ft. above the centerline of the street in X zones; the centerline of the Estay Lane at the location is .415 NAVD 88.
7. The Preliminary DFIRM shows the lot in a Special Flood Hazard Area (SFHA)—an AE zone with an anticipated base flood reaching 5 ft. above mean sea level (NAVD 88).
8. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFRIM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012 shall take precedent over the effective FIRMS where they are more restrictive."
9. This means the minimum building elevation at 449 Estay Lane is +5 ft. NAVD 88.
10. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevation as follows:
  - from 5 ft. to 2.5 ft. NAVD 88 at 113 Verdin Lane (ZBA 2017-07)
  - from 5 ft. to 2.42 NAVD 88 at 407 Estay Lane (2018-11-ZBA)
  - from 5 ft. to 1.168 ft. NAVD 88 at 503 Estay Lane (2020-59-ZBA)
  - from 5 ft. to 1.08 NAVD 88 at 487 Estay Lane (2021-34-ZBA)
11. In order to meet regulations, the property owner could place the building and machinery at the minimum required elevation on pilings, columns, or fill.
12. If FEMA requires the Parish to adopt the Preliminary D-FIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagee to purchase flood insurance, and the cost could be high.
13. In order to meet regulations, the property owner could elevate the structure and machinery to the required elevation.
14. The property owner has signed the addendum to the application for variance from BFE requirements and the acknowledgement and indemnification agreement.

# 2023-14-ZBA, Robert and Heidi Lasserre

Reduce the required construction elevation to permit a mobile home.





**ST. CHARLES PARISH**  
**DEPARTMENT OF PLANNING AND ZONING**  
**APPLICATION TO THE ZONING BOARD OF ADJUSTMENT**  
 P.O. Box 302 • Mahanville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

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

Municipal Address of Request 449 ESTAY LANE  
 City PARADIS State LA Zip 70080  
 Subdivision ESTAY SUBD. Lot ~~1~~ I Block \_\_\_\_\_ Section \_\_\_\_\_  
 Owner/Applicant Name ROBERT AND HEIDI LASSERRE  
 Mailing Address 102 CADOW STREET  
 City PARADIS State LA Zip 70080  
 Phone # 985-210-9275 Email LASSERRE ROBER @ YAHOO.COM

**APPLICANT TESTIMONY:** Why can't your project meet the zoning regulations? MY ORIGINAL TRAILER WAS ON THE SAID PROPERTY SINCE APPROX. 1994. WAS ACQUIRED FROM CHEVON IN 2006. NEVER RECORDED ANY FLOODING ON THE SAID ADDRESS OR SUBD.

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><b>OWNER:</b>  <u>Heidi Lasserre</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.  <u>Heidi Lasserre</u>  <small>(Signature of owner)</small></p>	<p><b>NOTARY PUBLIC:</b>          Subscribed and sworn to before me this <u>17<sup>th</sup></u> day          of <u>April</u>, 20 <u>23</u> in my          office at <u>Boutte</u>          Louisiana.  <u>[Signature]</u>  <small>(Signature of Notary Public)</small></p> <div style="border: 1px solid red; padding: 5px; width: fit-content; margin-left: auto;"> <p><b>DERYLE A. BOURGEOIS</b>          Notary ID #12032          Notary Public          Jefferson Parish, LA          My Commission is issued for Life</p> </div>
---	--

**FOR OFFICE USE ONLY:**

ZBA Case #: 2023-14-28A Property Identification #: 4055000000 H Date submitted: 4/17/23  
 Receipt #: \_\_\_\_\_ Flood Zone: V / AR5 Zoning District: R-1A(m)  
 Subdivision Name: Estay Subd.  
 Square # \_\_\_\_\_ Lot # H Block \_\_\_\_\_ Property sq. ft. \_\_\_\_\_  
 Code Section being appealed: App A Sec. XX



**PARISH OF SAINT CHARLES  
DEPARTMENT OF PLANNING AND ZONING**

**ADDENDUM TO APPLICATION FOR VARIANCE FROM  
BASE FLOOD ELEVATION REQUIREMENTS**

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

**COMPLETE THE FOLLOWING:**

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation? YES
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places, (if yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes \_\_\_\_\_ No X
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.) YES SURROUNDING PROPERTIES ARE GROUND LEVEL
4. Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.) MAKE ADJACENT PROPERTIES LOOK ODD W/ TRAILER AT 6' ELEVATION
5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
6. Is your lot size less than one-half (1/2) acre? .39 YES  
(As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.)
7. Provide the following information and attachments:
  - A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached)
  - B. Total square footage of parcel: 16988.4 SQ. FT.
  - C. Existing average grade at center of property and existing grades of all corners: \_\_\_\_\_
  - D. Existing center line street grades: \_\_\_\_\_
  - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: \_\_\_\_\_
  - F. Any other physical features which may affect the granting or denial of the application (i.e. drainage canals, levees, etc.): N/A
  - G. Photographs of the property and adjacent properties.
  - H. Any other pertinent information or documents to support this request.

**Acknowledgement and Indemnification Agreement for Elevation Variances**

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

Heidi Lasserre (NAME), (hereinafter "appearers"). The appearers acknowledged

that they are the owners of the property located at 449 Estay Lane (ADDRESS)

Paradis, LA 70080 (CITY, STATE, ZIP), and that said property was acquired by

Instrument registered in the official records of St. Charles Parish at COB 674 FOLIO 556.

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA Preliminary DFIRM is \_\_\_\_\_; however, the building(s) elevation will meet the National Flood Insurance Program (NFIP) effective map requirements at \_\_\_\_\_.

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the request of the appearers.

Done and passed before me this 17<sup>th</sup> day of April, 2023.

WITNESSES:  
[Signature]  
(Signature)

Amanda Wedge  
(Print Name)

APPEARERS:  
[Signature]  
(Signature)

Heidi Lasserre  
(Print Name)

[Signature]  
NOTARY PUBLIC

(Print Name) **DERYLE A. BOURGEOIS**  
Notary ID # 12032  
Notary Public  
Jefferson Parish, LA  
My Commission is issued for Life

BAR NO. \_\_\_\_\_

Seal Required

# 2B ENGINEERING LLC

We specialize in FEMA Elevation Certificates

186 Dunleith Drive  
Destrehan, LA 70047

Phone: 504-920-2125  
Phone: 318-237-1947

Benny E. Herrington III, PE  
President

Buddy E. Herrington

## BENCHMARK CERTIFICATE

### Property Information

Owner's Name Heidi Lasserre Parcel Number 40550000000H  
Property Address 449 Estay Lane Paradis, LA 70080  
Lot No. H Subdivision Estay Subdivision

### Flood Insurance Rate Map Information

Parish St. Charles Community Number 220160  
FIRM 220160 0125 Suffix C Map Date June 16, 1992  
Flood Zone X Base Flood Elevation N/A Vertical Datum NGVD 1929

### Benchmark Information

Description #4 rebar Elevation -0.247 feet  
Latitude 29.876621 Longitude -90.430435 Vertical Datum NAVD 88

### Additional Information

St. Charles DFIRM shows lot in an AE flood zone with a base flood elevation of 5.000 feet NAVD 88.

In accordance with Parish Ordinance No. 19-11-4, the bottom of the longitudinal structural I-beam shall be elevated to or above the BFE unless a variance is obtained through the Parish.

The building shall be built to a height of 5.000 feet NAVD 88 (5.109 feet up from ground at utility pole near right-front (northwest) property corner.

The purpose of this document is to assure that minimum elevations are being complied with in the floodplain. A known benchmark on the subject property will assist the owner, contractor, inspector and anyone else involved with the project.

I, Benny E. Herrington III (Professional Engineer No. 38999), hereby certify  
(PE Signature)

that on March 31, 2023 a benchmark was established for the property  
(Date Completed)

indicated above. I can be reached at 504-920-2125 to answer any questions.  
(Phone Number)

## Marny Stein

---

**From:** Danielle Honor  
**Sent:** Tuesday, May 9, 2023 9:04 AM  
**To:** Brett Badgerow  
**Cc:** Earl Matherne; Marny Stein  
**Subject:** FW: 449 Estay Lane Paradis, LA 70080 Benchmark Certificate  
**Attachments:** 449 Estay Lane Paradis, LA 70080 Benchmark Certificate.pdf; PAID Invoice 449 Estay Lane Paradis, LA 70080 Benchmark Certificate.pdf

**From:** Benny Herrington <benny.herrington@yahoo.com>  
**Sent:** Monday, May 8, 2023 4:50 PM  
**To:** Danielle Honor <dhonor@stcharlesgov.net>  
**Subject:** Fw: 449 Estay Lane Paradis, LA 70080 Benchmark Certificate

Good afternoon,

The centerline elevation of Estay Lane in front of the property is 0.415 feet NAVD 88. Please let me know if you need any additional information.

Thanks,

**Benny E. Herrington III, P.E.**  
**2B Engineering, LLC**  
President  
186 Dunleith Drive  
Destrehan, LA 70047  
(504) 920-2125

----- Forwarded Message -----

**From:** Benny Herrington <benny.herrington@yahoo.com>  
**To:** lasserreroberth@yahoo.com <lasserreroberth@yahoo.com>  
**Sent:** Wednesday, April 5, 2023 at 03:12:51 PM CDT  
**Subject:** Fw: 449 Estay Lane Paradis, LA 70080 Benchmark Certificate

Mr. Lasserre,

Please find the benchmark certificate and paid invoice attached for the referenced property. As discussed I copied Ms. Danielle Honor and Ms. Rechelle Fonseca with St. Charles Planning and Zoning on the previous email. Please let me know if you have any questions or concerns. Thank you for allowing us to work with you!

Thanks,

**Benny E. Herrington III, P.E.**  
**2B Engineering, LLC**  
President  
186 Dunleith Drive

Destrehan, LA 70047  
(504) 920-2125

----- Forwarded Message -----

**From:** Benny Herrington <[benny.herrington@yahoo.com](mailto:benny.herrington@yahoo.com)>

**To:** ROBERT LASSERRE <[lasserrerober@cox.net](mailto:lasserrerober@cox.net)>

**Cc:** Danielle Honor <[dhonor@stcharlesgov.net](mailto:dhonor@stcharlesgov.net)>; Rechelle Fonseca <[rfonseca@stcharlesgov.net](mailto:rfonseca@stcharlesgov.net)>

**Sent:** Tuesday, April 4, 2023 at 07:45:58 PM CDT

**Subject:** 449 Estay Lane Paradis, LA 70080 Benchmark Certificate

Mr. Lasserre,

Please find the benchmark certificate and paid invoice attached for the referenced property. As discussed I have copied Ms. Danielle Honor and Ms. Rechelle Fonseca with St. Charles Planning and Zoning. Please let me know if you have any questions or concerns. Thank you for allowing us to work with you!

Thanks,

**Benny E. Herrington III, P.E.**

**2B Engineering, LLC**

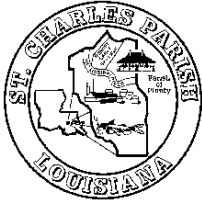
President

186 Dunleith Drive

Destrehan, LA 70047

(504) 920-2125





**Department of Planning & Zoning**  
**Staff Report – Zoning Board of Adjustments**  
**Case No. 2023-15-ZBA**

**GENERAL APPLICATION INFORMATION**

**APPLICANT / PROPERTY OWNER:**

Mekiva Dumas  
133 Cove Pointe Drive  
Luling, LA 70070  
504.300.5961; mekivadumas@gmail.com

**LOCATION:**

133 Cove Pointe Drive, Luling; Lot 13, Block 11 of Ashton Plantation Phase 1

**REQUEST:**

Reduce required rear yard setback to 15 ft. for construction of an attached patio cover.

**SITE INFORMATION**

**SIZE OF PROPERTY:** 10,056.90 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:** Cove Pointe Drive

**BASE FLOOD ELEVATION (BFE):** AE 4

**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 April 18, 2023 an application was submitted requesting a variance from the required rear setback at 133 Cove Pointe Drive, Luling.
2. Lot 13, Sq. 11, Ashton Plantation Phase 2-A was approved in 2018, as shown on the Final Plat of Ashton Plantation Phase 2-A by Louis J. Gassen Jr., PLS dated June 4, 2018.
3. The residence at 133 Cove Pointe Drive was constructed in 2019 (Permit No. 32826). As per the approved as-built survey, the rear of the home sits 20.36 feet away from the closet point to the rear property line.
4. The distance to the rear property line varies due to the irregular shape of the lot, but the proposed patio cover extends as close as 15 ft. and seven (7) inches to the rear property line as per contractor.
5. The Board of Adjustments has heard and approved a similar variance in the area:
  - 2016-29-ZBA – Approved a reduction of the required rear yard setback for new construction from 20 feet to nine (9) at 106 Lac Segnette Drive.
6. In order to meet the zoning district requirements, the applicant would need to redesign the patio cover within the allowable buildable area.



**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 133 COVE POINTE DRIVE

City Luling State LA Zip 70070

Subdivision Ashton Plantation Lot \_\_\_\_\_ Block \_\_\_\_\_ Section \_\_\_\_\_

Owner/Applicant Name Mekwa Dumas / FRANK ALVAREZ *-owner rep*

Mailing Address 133 COVE POINTE DRIVE *225-978-3665*

City Luling State LA Zip 70070

Phone # 504-300-5961 Email mekwadumas@gmail.com

**APPLICANT TESTIMONY:** Why can't your project meet the zoning regulations? Currently, there is a 20' curvelinear set back we want to extend the back patio & shed (please see attached documents) The structure would encroach the setback by 4'-8"

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:**  
Mekwa Dumas 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.  
Mekwa Dumas  
 (Signature of owner)

**NOTARY PUBLIC:**  
 Subscribed and sworn to before me this 18th day  
 of April, 2023 in my  
 office at New Orleans  
 Louisiana.  
M.A. B.S.  
 (Signature of Notary Public) **SEAL**

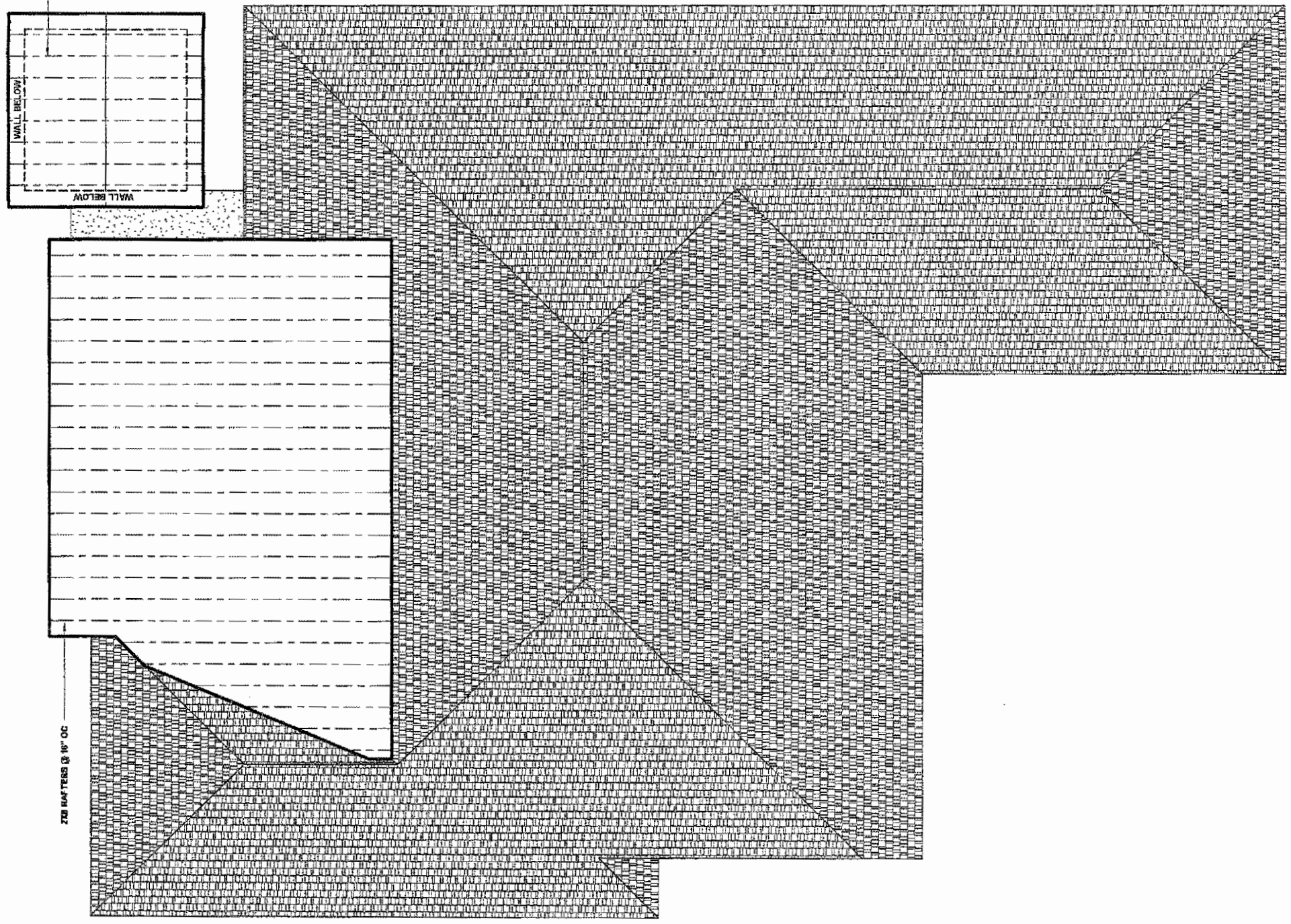
**FOR OFFICE USE ONLY:**

ZBA Case #: 2023-15-2BA Property Identification #: 105501100013 Date submitted: 4/18/23  
 Receipt #: \_\_\_\_\_ Flood Zone: X AC 4 Zoning District: R1A  
 Subdivision Name: Ashton Ptn. Phase 1  
 Square # \_\_\_\_\_ Lot # 13 Block 11 Property sq. ft. \_\_\_\_\_  
 Code Section being appealed: Appendix A. Section V. B. [1.]



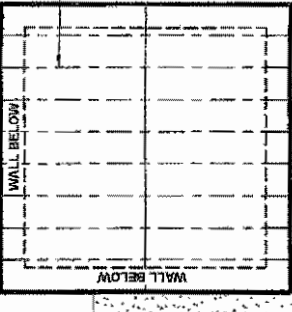
**1 ROOF PLAN**  
 1/8" = 1'-0"

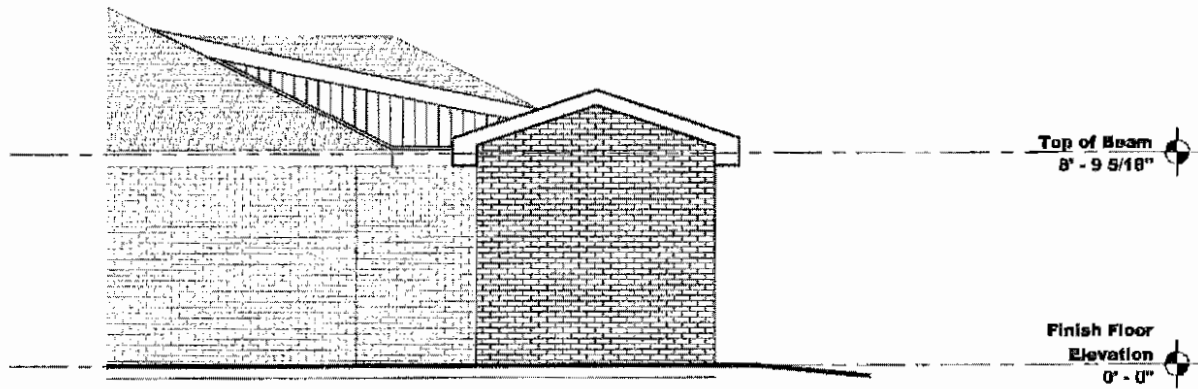
- ROOF & FRAMING NOTES:**
1. ALL WOOD FRAMING MEMBERS SHALL BE NO. 2 PINE KILN-DRIED WITH 16% MOISTURE CONTENT AT THE TIME OF PRESSING.
  2. INSTALL HEADERS OVER ALL OPENINGS TO COMPLY WITH CODE.
  3. WALLS SHALL BE IN ACCORDANCE WITH THE STANDARD BUILDING CODE AND SHALL BE ABLE TO SUPPORT THE ROOF LOADS AS REQUIRED.
  4. RAFTERS TO BE 2X12 TYP. UNLESS OTHERWISE NOTED.
  5. BRACE: VISIBLE END/ ADMIN'ET LATERAL CLOTH WITH BLOCKING AT 4' ON CENTER.



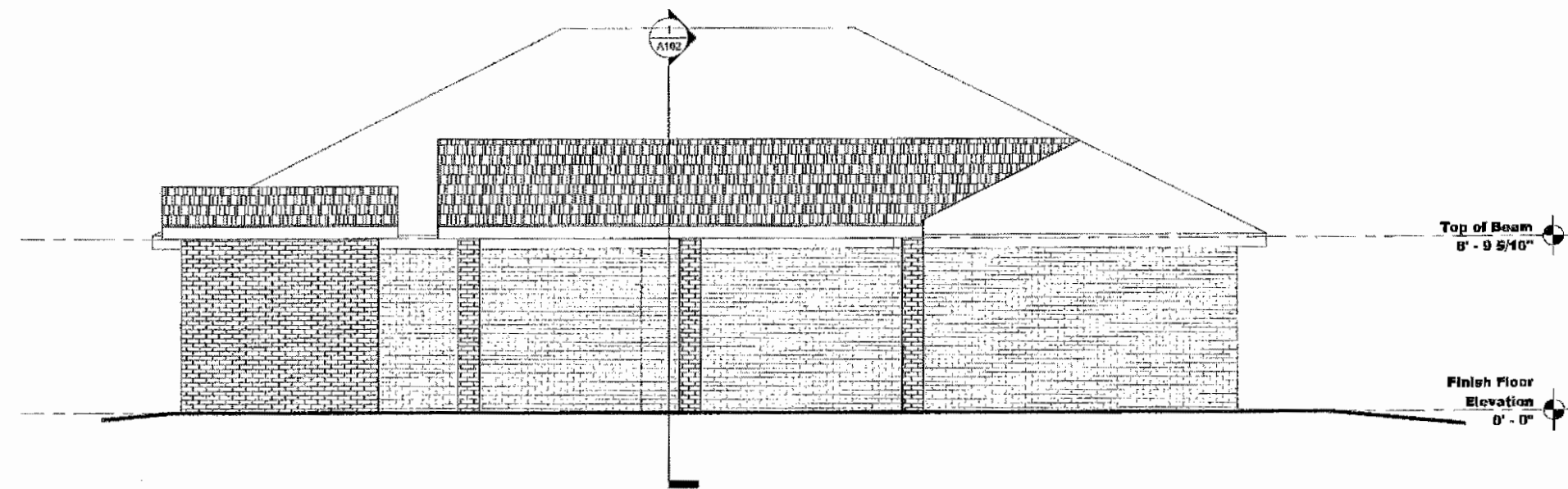
2X12 RAFTERS @ 16" OC

2X12 RAFTERS @ 16" OC

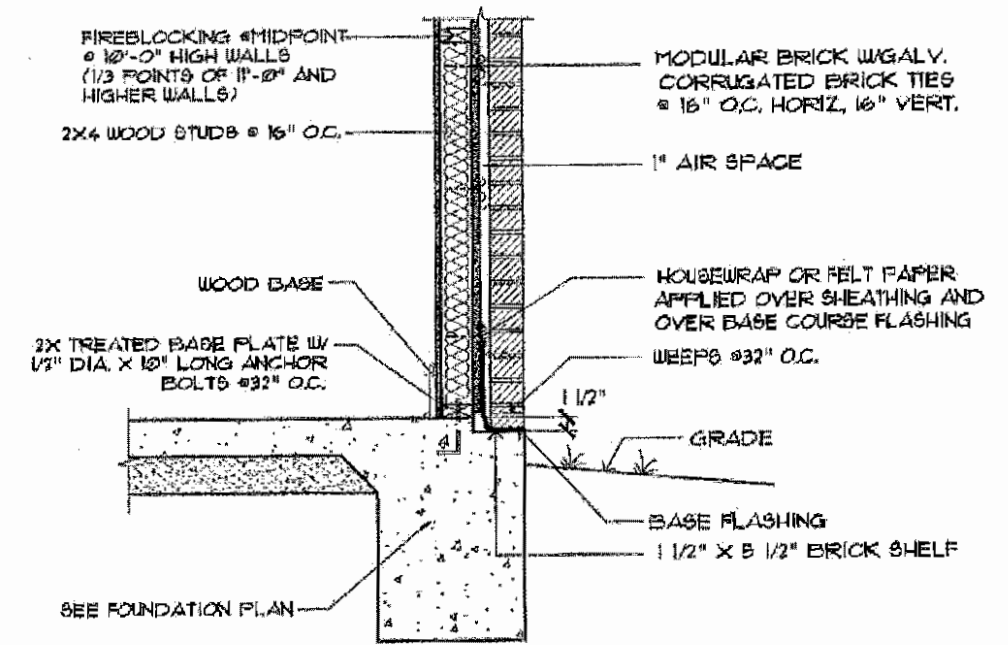
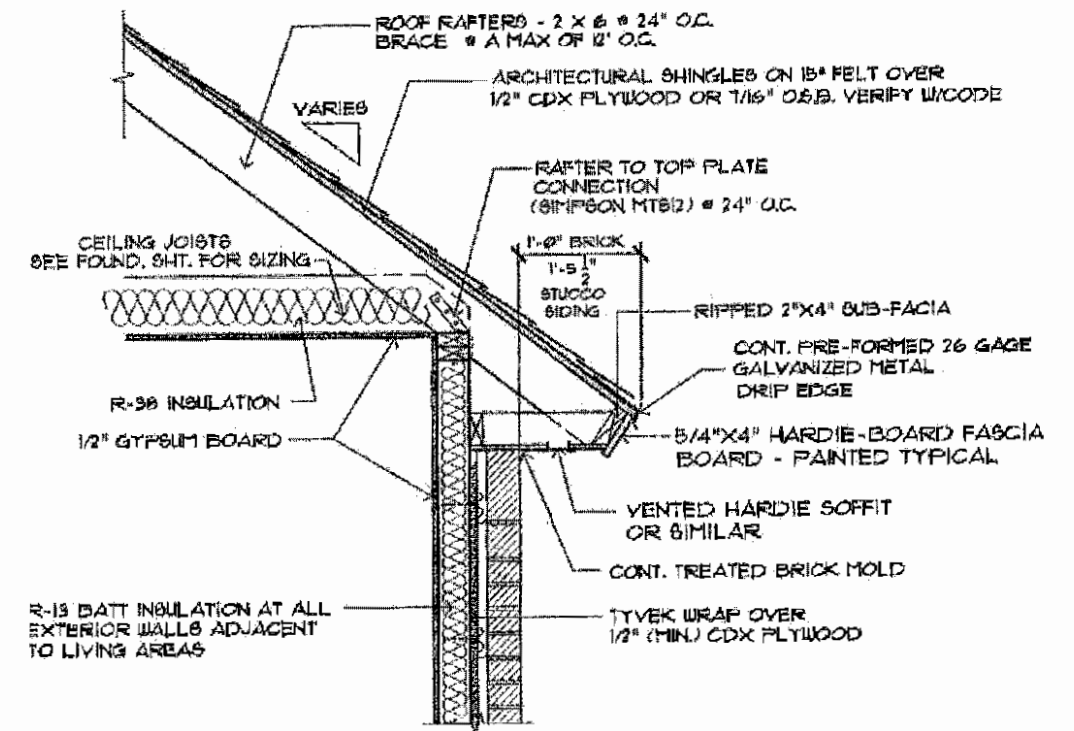




**1 ELEVATION**  
1/8" = 1'-0"



**2 ELEVATION**  
1/8" = 1'-0"

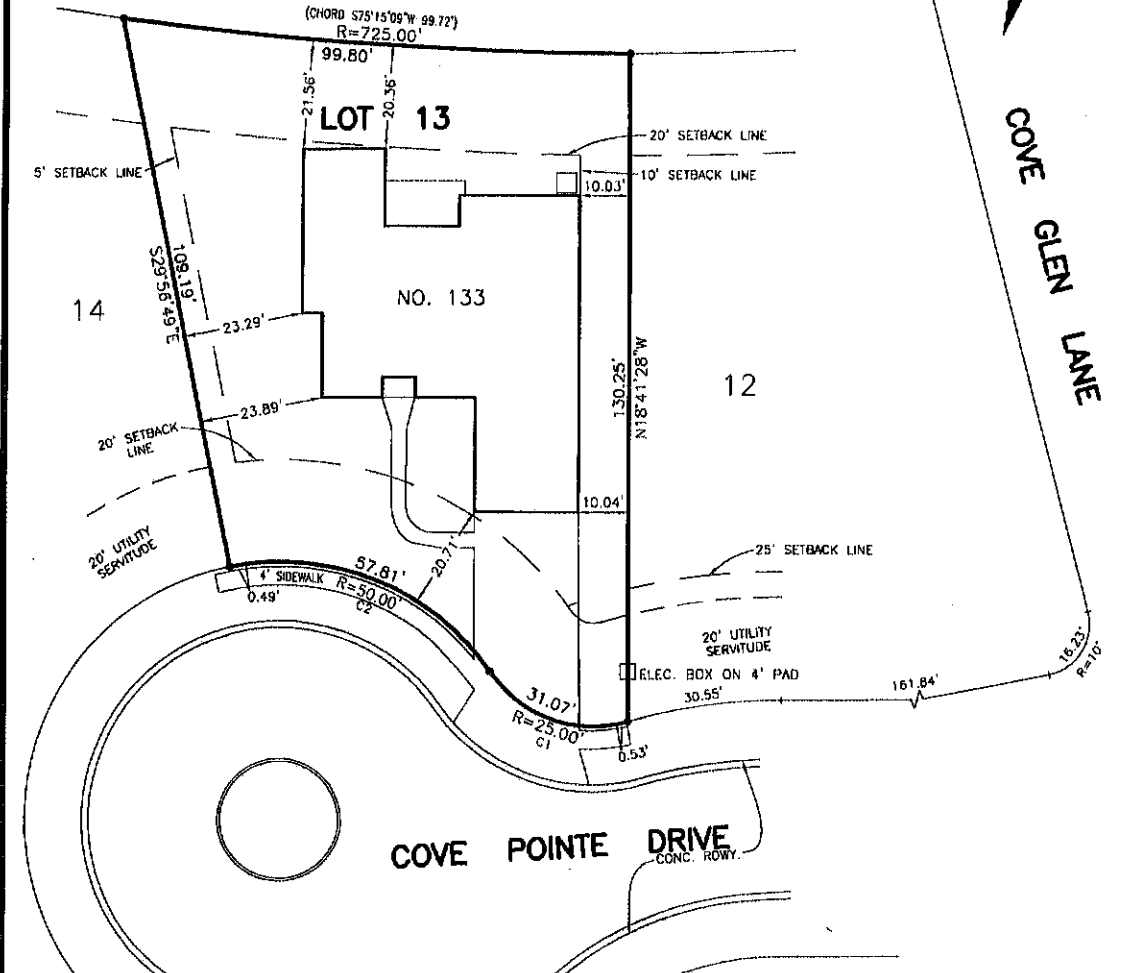


**TYPICAL WALL SECTION - BRICK**  
SCALE: 3/4" = 1'-0"

**3 FRAMING DETAILS**  
NTD

ASHTON PLANTATION BOULEVARD

RESERVE I



CURVE DATA

NUMBER	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	31.07'	25.00'	29.11'	S89°18'26"E
C2	57.81'	50.00'	54.64'	S86°49'24"E

LEGEND  
 ■ = 1/2" IRON ROD FOUND  
 BEARINGS ARE BASED ON SUBDIVISION PLAN

**SURVEY OF LOT 13, SQUARE 11  
 ASHTON PLANTATION  
 PHASE 2-A  
 IN SECTIONS 97 & 98, T13S - R20E  
 ST. CHARLES PARISH, LOUISIANA**

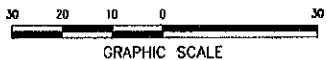
SCALE: 1" = 30'  
 SEPTEMBER 20, 2018  
 ADDED IMPROVEMENTS NOVEMBER 21, 2018  
 UPDATED DECEMBER 5, 2018  
 UPDATED FEBRUARY 25, 2019

CERTIFIED TO REVE' INCORPORATED,  
 UNITED COMMUNITY BANK,  
 LOUIS 'G. AUTHEMENT  
 & FIRST AMERICAN TITLE INSURANCE CO. OF LOUISIANA

REFERENCE PLAN:  
 FINAL PLAT ASHTON PLANTATION, PHASE 2-A  
 BY LUCIEN C. GASSEN SURVEYING SERVICES,  
 LOUIS J GASSEN JR, PLS, DATED JUNE 4,  
 2018

The servitudes shown on this survey are limited to those set forth per subdivision plat and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data 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 plot represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.



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

**LUCIEN C. GASSEN  
 SURVEYING SERVICES**

# 2023-15-ZBA, Mekiva Dumas

Reduce the required rear yard setback to permit an attached patio cover.

