

**ST. CHARLES PARISH
ZONING BOARD OF ADJUSTMENT
AUGUST 17, 2017
7:00 P.M.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

1 ZBA-2017-18

Requested by: LaQueena H. Grover to vary Appendix A, Sec. XX.C.2 to reduce the required base flood elevation from AE+5 ft. NAVD to +1.02 ft. NAVD for placement of a mobile home at 149 JB Green Rd., Des Allemands. Zoning District R-1A(M). Council District 4.

10 ZBA-2017-19

Requested by: Peter & Kayla Vuynovich to vary Appendix A, Section VI.B.[I].2.b.(1) to reduce the required 20 ft. front setback to 1 ft. for placement of an unenclosed carport at 301 Fourth St., Luling. Zoning District R-1A. Council District 2.

19 ZBA-2017-20

Requested by: Charles & Kayla Owcarz to vary Appendix A, Sec. XX.C.2 to reduce the required base flood elevation from +6 ft. NAVD to -2.65 for construction of a single family home at 100 Beau Place Blvd., Des Allemands. Zoning District R-1A. Council District 4.

OLD BUSINESS -

NEW BUSINESS -

MINUTES – May 18, 2017 and July 20, 2017

ADJOURN



ST. CHARLES PARISH

DEPARTMENT OF PLANNING & ZONING

14996 RIVER ROAD • P.O. BOX 302, HAHNVILLE, LOUISIANA 70057

(985) 783-5060 • Fax: (985) 783-6447

Website: www.stcharlesparish-la.gov

LARRY COCHRAN
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP
PLANNING DIRECTOR

July 24, 2017

LaQueena Grover
149 J.B. Green Road
Des Allemands, La 70030

Dear Mrs. Grover,

This letter is to inform you the request place a mobile home at 149 J. B. Green Rd., Des Allemands, La., zoning district R-1AM has been rejected. This permit cannot be issued for the following reasons according to the St. Charles Code of Ordinances XX C.2 as amended by Ord. 13-7-7:

1. The submitted site plan and grade certificate indicates that the proposed mobile home will be at 1.02' NAVD and not meet the required DFIRM of AE+5' NAVD.

Should you feel aggrieved by this decision to deny the permit, you may appeal to the Zoning Board of Adjustments within thirty days.

If the Zoning Board of Adjustment approves your variance, do not to start the project until you have completed the permitting process. Please contact the Permit Section of the Planning Department at (985-783-5060) with any questions.

Sincerely,

Michael Albert
Director

MA/rk
cc: file



Parish of St. Charles
 Department of Planning and Zoning
 P.O. Box 302 • Hahnville, Louisiana 70057
 (985) 783-5060 • Fax (985) 783-6447

**APPLICATION FOR PUBLIC HEARING
 ZONING BOARD OF ADJUSTMENT**

App rev. 09/15

ZBA Case #: 2017-18 Property Identification #: _____ Date submitted: 7/24/2017
 Receipt #: 3471 Flood Zone: X(+5) Zoning District: R-1A (M)

Applicant name LaQueena H Grover Phone # 504-377-3068
 Mailing Address 149 Jb Green Rd Des Allemands La 70030 Email Address laqueena.huntergrover@yahoo.com
 Owner(s) Name Leroy LaQueena Grover Phone # 504-559-5960
 Mailing Address 149 Jb Green Rd Des Allemands La 70030 Email Address Leroy Grover lee@gmail.com
 Municipal Address of Request 149 J.B. Green Rd.
 Subdivision Name: _____
 Square # _____ Lot # _____ Property sq. ft. _____

Describe the variance being applied for: 3 1/2 feet as opposed to 5 1/2 feet

Code Section being appealed: App. A, Sec XX.C.2. reduce base Flood Elevation from +5' to 1.02' NAVD

The Zoning Board of Adjustment's duty is to hear and decide request for variances from zoning regulations in which the applicant feels adherence to the regulation will cause an undue hardship or practical difficulty and not just a mere inconvenience. The Board bases their decision on the following criteria. Please respond to all of the following questions. You may submit on separate paper if necessary.

- Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
 - What unique condition exists on this property or structure which does not exist on other property or structures in the zoning district?
my mother n low stay with us she depends on us for care, she uses a walker and can't climb 5ft
- Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 - Does the enforcement of the ordinance deprive you of rights enjoyed by other properties in the zoning district? If yes, list reasons?
yes, there are 2 other properties on the yard that are 3 1/2 feet
- The special conditions and circumstances do not result from the actions of the applicant.
 - Did you cause the hardship to your property or structure? NO
- Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
 - Will granting this variance allow you a special privilege or benefit which the Ordinance denied to other lands or structures in the zoning district?
NO
- The variance, if granted, will not alter the essential character of the locality.
 - Explain how this variance will not alter the character of the neighborhood.
There are 2 other properties at the same height 3 1/2 feet
- Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
 - Explain how meeting the regulation creates a hardship rather than an inconvenience. my husband has pin's in his leg, my mother n low used a cane both cannot climb 5 1/2 feet

7. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
 - Explain alternative locations or construction plans which may be less convenient but meet the regulations. Financial hardship is not valid criteria to allow variances.

8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 - Could the requested variance endanger, inconvenience, or cause a nuisance for neighboring properties? How will you mitigate any potential effect?

No this property is owned by family members who have the same variance we are requesting

According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines: (may submit on additional paper if needed)

Without this request being granted, it would cause an undue hardship not to health or financial hardship but to health or physical well being. My mother in law has a price maker walks with a cane and cannot climb. My husband cannot climb due to having pain in his legs. This request is a matter of health & physical need.

OWNER'S ENDORSEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

LaQuerra Marie Andre Grewer Being duly sworn, 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.

LaQuerra Marie Andre Grewer
(Signature of owner)

Subscribed and sworn to before me this 21st day of July, 2017
in my office at Lafayette, Louisiana.

[Signature]
(Signature of Notary Public)

(Seal)

LUCIEN C. GASSEN

Surveying Services
1026 Gassen Street
LULING LA 70070

May 6, 2013

GRADE CERTIFICATE

Lot Number : Square :

Subdivision :

Municipal No.: 137/141 J. B. Green Road

FIRM Zone: X Base Flood Elevation....

Existing Street Elevation..... 0.02

Existing Ground Elevation.....-1.8

Construction Bench Mark Elevation.....

*(PROPOSED LOWEST FLOOR ELEVATION TO BE FILLED OUT BY BUILDER)

*PROPOSED LOWEST FLOOR ELEVATION: _____

Description: REFERENCE ELEVATION MARK ONLY (EL. 0.00)

60d nail in 24" Hackberry Tree near site

The undersigned will not be responsible for the transfer of elevations from the construction bench mark by the contractor or others.

*The floor of an attached enclosed garage may be considered as the lowest floor for Flood Insurance rating. Please consult your insurance agent.

ELEVATIONS ARE BASED ON READJUSTED NAVD 88 EPOCH 2006.81



Lucien C. Gassen
Lucien C. Gassen, Land Surveyor
Registration No. 353

(985) 785-0745
FAX (985) 785-8603

*OK
DHG
6/13/17
Final needs to meet AE+5*



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.)
None, Not Really room to place a wheelchair ramp.
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.)
2 residents have medical issues that make it hard to climb
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.)
Hardship is to residents not property
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: 12587
 - C. Existing average grade at center of property and existing grades of all corners: -1.8
 - D. Existing center line street grades: 6.02
 - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: R-1A(M) set backs
 - F. Any other physical features which may affect the granting of 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, INDEMINIFCATION AND HOLD HARMLESS

RECEIVED
JUL 24 2017
BY: _____

STATE OF LOUISIANA

PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, personally came and appeared LaQueen H. Grover, (hereinafter "appearers"), after being duly sworn, acknowledged that they are the owners of the property located at 149 J.B. Green Rd, DA, and that said property was acquired by instrument registered in the official records of St. Charles Parish at COB 1193 FOLIO 330. Appearers do further acknowledge that they are hereby requesting a variance for the purpose of constructing a building(s). The base flood elevation required by the Federal Emergency Management (FEMA) is +5; however the building(s) elevation will be +1.02 and therefore, a variance is needed from the based flood elevation required by the Federal Emergency Management Agency (FEMA) and do hereby agree to protect, defend, indemnify save, and hold harmless St. Charles Parish, its agents and assigns, from any liability whatsoever, arising out of injury or loss to as a result of its granting the variance request by Appearers.

Appearers further acknowledge that they hereby agree to defend any litigation arising out of the granting of the variance and agree to pay all claims and demands arising therefrom, including court costs and attorneys.

Done and passed before me this 20th day of July, 2017.

WITNESSES:

APPEARERS:

LaQueen Hunder Grover

PRINT NAME: _____

PRINT NAME: _____

[Signature]

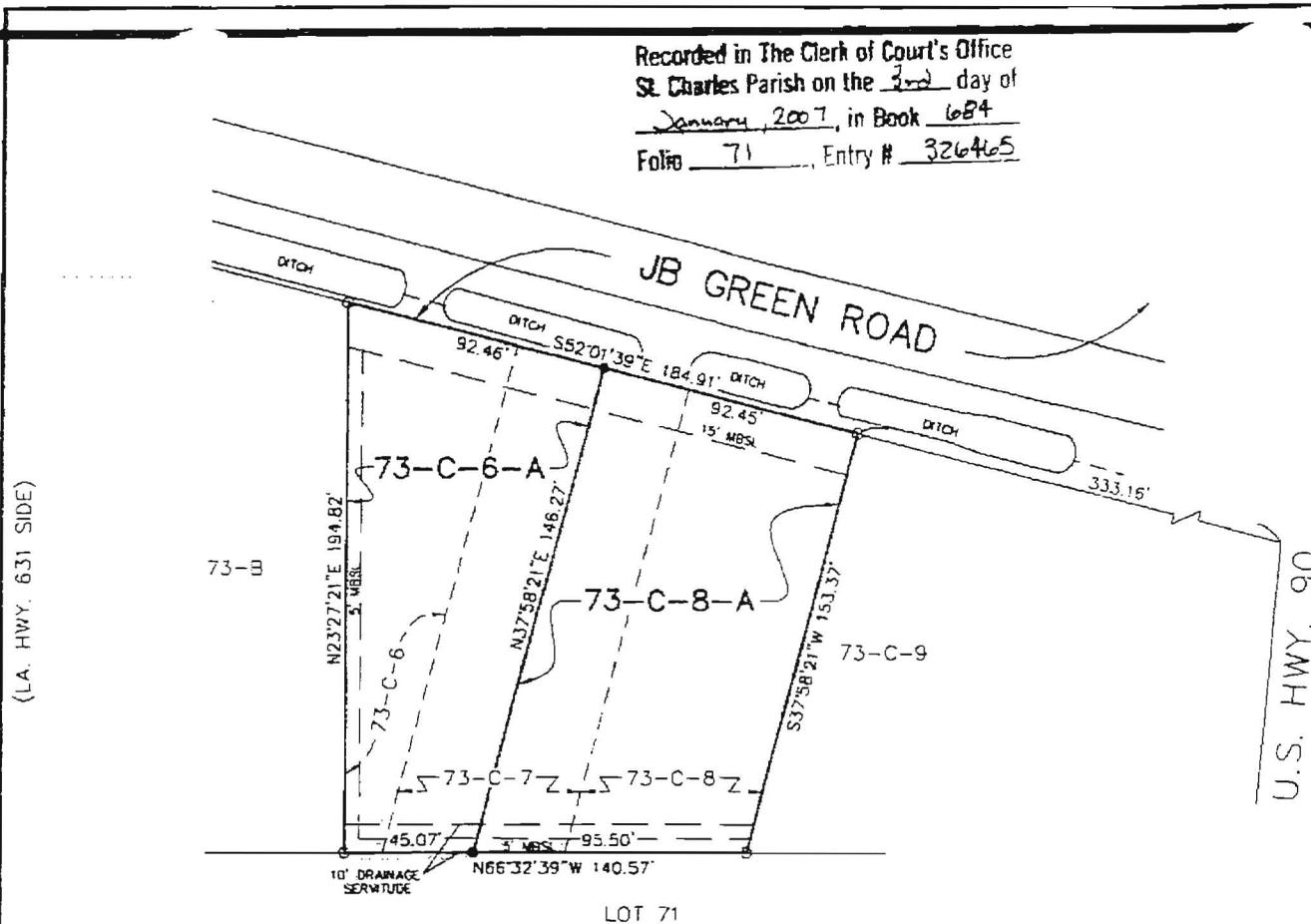
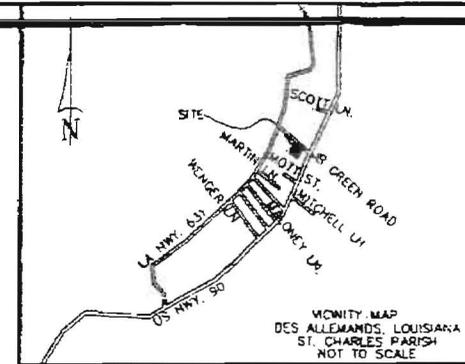
NOTARY PUBLIC

PRINT NAME: Lois L. H. [Signature]

BAR NO. 58825

SEAL REQUIRED

Recorded in The Clerk of Court's Office
 St. Charles Parish on the 3rd day of
January, 2007, in Book 684
 Folio 71, Entry # 326465



AREA	
LOT	SQ. FT.
73-C-6-A	12,587
73-C-8-A	15,285

DEVELOPER: LLOYD J. FRICKEY
 151 BAYOU ESTATES DRIVE
 DES ALLEMANDS, LA. 70030
 (985) 758-2936

APPROVAL
Richard Flynn 12/28/06
 DATE DIRECTOR OF PLANNING & ZONING
 12/29/2006 *Albert O. Lopez*
 DATE PARISH PRESIDENT

RECORDED IN THE CLERK OF COURTS OFFICE, ST. CHARLES PARISH
 ON THE 3rd DAY OF JAN. 2007 IN CONVEYANCE BOOK
 FOLIO
 ENTRY NO. 326465
 71

ST. CHARLES PARISH LAND USE REGULATIONS, INCLUDING SETBACK
 STANDARDS, SUPERSEDE SUBDIVISION COVENANTS WHERE PARISH
 REGULATIONS ARE MORE RESTRICTIVE.

TITLE: SURVEY PLAT AND ADMINISTRATIVE RESUBDIVISION OF LOT 73-C-6, 73-C-7 & 73-C-8 OF
 THE SUNSET DRAINAGE DISTRICT INTO LOTS HEREIN DESIGNATED AS LOTS 73-C-6-A, 73-C-8-A,
 OF THE SUNSET DRAINAGE DISTRICT SITUATED IN SECTION 39, T-14-S, R-20-E,
 DES ALLEMANDS, ST. CHARLES PARISH, LOUISIANA

DATE: DECEMBER 5, 2006

SURVEY REFERENCE: SURVEY PLAT AND RESUBDIVISION OF LOT 73-C-5 OF THE SUNSET DRAINAGE DISTRICT
 INTO LOTS HEREIN DESIGNATED AS LOTS 73-C-6, 73-C-2, 73-C-7, 73-C-8, & 73-C-9
 OF THE SUNSET DRAINAGE DISTRICT SITUATED IN SECTION 39, T-14-S, R-20-E,
 DES ALLEMANDS, ST. CHARLES PARISH, LOUISIANA BY STEPHEN P. FLYNN, P.L.S.
 DATED APRIL 7, 2006

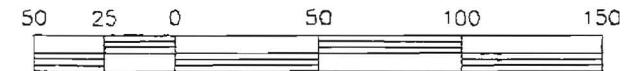
BASIS OF BEARING: TAKEN FROM REFERENCED SURVEY PLAT.

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "X" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0175 DATED 6/19/1992

SURVEYOR'S NOTES:
 A. I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME AND CONFORMS
 TO THE REQUIREMENTS FOR THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS FOUND
 IN LOUISIANA ADMINISTRATIVE CODE TITLE 46:LR, CHAPTER 25 FOR A CLASS "C" SURVEY.
 B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE
 EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
 C. NO DITCHES, UNDERGROUND LINES OR CONDUITS SHOWN.
 D. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT.
 THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED
 FOR FINAL DETERMINATION.

LEGEND

- #4 IRON ROD SET
- #4 IRON ROD FOUND



SCALE IN FEET
 1" = 50'

DRAWN BY: CD DRAWING NO. M7711A

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. LA. ST. REG. NO. 4568

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: ZBA-2017-18

GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

LaQueena Grover
149 J. B. Green Road
Des Allemands, La., 70030

◆ **Location of Site:**

195A J.B. Green Road, La.

◆ **Requested Action:**

To reduce the DFRIM (digital flood rate insurance maps) from AE +5 ft. to 1.02' NAVD (1' above the street centerline)

◆ **Purpose of Requested Action:**

Placement of a mobile home

SPECIFIC SITE INFORMATION

◆ **Size of Parcel:**

12,587 sq. ft.

◆ **Existing Zoning:**

R-1AM

◆ **Surrounding Land Uses and Zoning:**

Residential

Floodplain Information:

X zone with a DFIRM AE +5

APPLICABLE CODE REGULATION

[Exceptions.] [The Board is Authorized] To permit the following exceptions:

Appendix A Section XX. Flood Damage Prevention, E. b. 1. 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 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. 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.

SUMMARY

1. On June 14, 2017 a permit was issued to place a 16' x 70' mobile home at 149 J. B. Green Road, Des Allemands, LA zoning district R-1AM.
2. The application indicated the owner would meet the required DFIRM +5. However, the owner changed her mind and decided to apply for a variance to the required flood zone elevation.
3. On July 24, 2017 the owner applied for a variance from the required DFRIM +5 to 1.02' NAVD.
4. This will place the floor of mobile home at least 1' above the centerline of the street.
5. The applicant has signed and notarized the addendum to the variance application for base flood requirements.

FINDINGS (based on applicant's written statements)

1. There are no unique conditions on this property which do not exist on other properties in the area. Applicant states mother-in-law has a walker and cant climb.
2. Enforcement of the ordinance would deprive the applicant of rights enjoyed by surrounding properties. At least 4 flood elevation variances were granted in the same vicinity.
3. The applicant's hardship was created by the advisory DFRIM.
4. Granting the variance will not benefit the applicant over several surrounding properties in the neighborhood.
5. Granting of the variance will not alter the character of the neighborhood because several mobile homes are below the construction DFIRM currently required.
6. The flood zone elevation creates an inconvenience rather than a hardship based on accessibility.
7. No alternative construction methods were mentioned on the submitted application
8. Granting the variance would not cause negative impact to the surrounding properties.





ST. CHARLES PARISH

DEPARTMENT OF PLANNING & ZONING

14996 RIVER ROAD • P.O. BOX 302, HAHNVILLE, LOUISIANA 70057

(985) 783-5060 • Fax: (985) 783-6447

Website: www.stcharlesparish-la.gov

LARRY COCHRAN
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP
PLANNING DIRECTOR

July 24, 2017

Peter and Kayla Vujovich
301 Fourth Street
Luling, La, 70070

Dear Mr. Vujovich,

This letter is to inform you the request to build an unenclosed carport cover at 301 Fourth Street, Luling, zoning district R-1A, cannot be issued for the following reasons according to the St. Charles Code of Ordinances, Appendix A., Section VI. B. [I] 2.b.(1).

1. The submitted site plan indicates the attached carport will be 1' from the front property line instead of the required 20' front yard setback.

Should you feel aggrieved by this decision to deny the permit, you may appeal to the Zoning Board of Adjustments within thirty days.

If the Zoning Board of Adjustment approves your variance, do not to start the project until you have completed the permitting process. Please contact the Permit Section of the Planning Department at (985-783-5060) with any questions.

Sincerely,

Michael Albert
Director

MA/rk
cc: file



Parish of St. Charles
 Department of Planning and Zoning
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**APPLICATION FOR PUBLIC HEARING
 ZONING BOARD OF ADJUSTMENT**

App rev. 09/15

ZBA Case #: 2017-19 Property Identification #: _____ Date submitted: 7/24/17
 Receipt #: 3473 Flood Zone: X Zoning District: R-1A

Applicant name Peter & Kayla Vujnovich Phone # 504-450-4546 (Kayla)
 Mailing Address 301 Fourth St. Email Address Kvujnovich@yahoo.com
 Owner(s) Name Peter & Kayla Vujnovich Phone # 504-616-8936 (Peter)
 Mailing Address 301 Fourth St. Email Address _____

Municipal Address of Request _____

Subdivision Name: _____

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

Describe the variance being applied for: carport (on Milling side of entrance where we have a driveway)

Code Section being appealed: _____

The Zoning Board of Adjustment's duty is to hear and decide request for variances from zoning regulations in which the applicant feels adherence to the regulation will cause an undue hardship or practical difficulty and not just a mere inconvenience. The Board bases their decision on the following criteria. Please respond to all of the following questions. You may submit on separate paper if necessary.

See attachment 1.

- Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
 - What unique condition exists on this property or structure which does not exist on other property or structures in the zoning district?

See attachment 2.

- Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 - Does the enforcement of the ordinance deprive you of rights enjoyed by other properties in the zoning district? If yes, list reasons?

See attachment 3.

- The special conditions and circumstances do not result from the actions of the applicant. Did you cause the hardship to your property or structure? _____

See attachment 4.

- Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
 - Will granting this variance allow you a special privilege or benefit which the Ordinance denied to other lands or structures in the zoning district?

See attachment 5.

- The variance, if granted, will not alter the essential character of the locality. Explain how this variance will not alter the character of the neighborhood.

See attachment 6.

- Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience. Explain how meeting the regulation creates a hardship rather than an inconvenience.

See Attachment

- 7. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
 - Explain alternative locations or construction plans which may be less convenient but meet the regulations. Financial hardship is not valid criteria to allow variances.

See Attachment

- 8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 - Could the requested variance endanger, inconvenience, or cause a nuisance for neighboring properties? How will you mitigate any potential effect?

According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines: (may submit on additional paper if needed)

See Attachment

OWNER'S ENDORSEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

Kayle Vujnovich Being duly sworn, 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)

Subscribed and sworn to before me this 26th day of July, 2017
in my office at Wahmille, Louisiana.

[Signature]
(Signature of Notary Public)
20170726
58825

(Seal)

Peter & Kayla Vujnovich

The property is on the corner of Fourth street and Milling. The front of the house (Fourth) has 3 large trees while the side of the house (Milling) has an existing driveway that leads to another entrance inside the home.

2. Yes, it deprives me the right of having our vehicles protected from the weather/sun. Packages are placed by the door on the driveway and are exposed until someone gets home from work. Having a carport would provide a shady area for myself as well as visitors to get in/out of their vehicles to enter the home.

3. No, the property had a carport years ago by previous homeowners. It was damaged by hurricane Katrina and never rebuilt, according to a neighbor.

4. No, there are other homes with carports in my area.

5. The character of the neighborhood would not be altered due to the fact that many homes have carports. If anything, it would raise the value of the home which could help increase the value of the neighborhood.

6. The house would not be worth as much as it would if it had a carport. It would increase the value of the home if we were to sell.

7. An alternative location could be in the back yard near our shed, however, cement would have to be poured and it would take away from the back yard. Where the carport is being requested (Milling side) we have an existing cement driveway.

8. No, it will not block the view of any of the neighbors backing out of their driveways. They had a carport in the requested area before Katrina.

The property is on the corner of Fourth Street and Milling. The front door is located on the Fourth Street side, however Milling side has an additional entrance (with a driveway.) The carport will not interfere the view of neighbors backing out of their driveways. According to a neighbor there was a carport on the property but it was destroyed by Katrina. Two houses down from me is a property that has a carport. The requested size of the carport will not be on or past our property line. We will check with Entergy to make sure it will not interfere with phone lines.

Rhys Kinler

From: Kayla Vujnovich <kvujnovich@yahoo.com>
Sent: Thursday, August 10, 2017 8:25 PM
To: Rhys Kinler

Another added hardship from not having a carport includes protection for the house during rain storms. The interior of the house needs the panel to be changed near our window due to water damage.

Kayla Vujnovich

THIRD STREET (SIDE)



Proposed
18' x 19'
UNENLSED
CARPORT

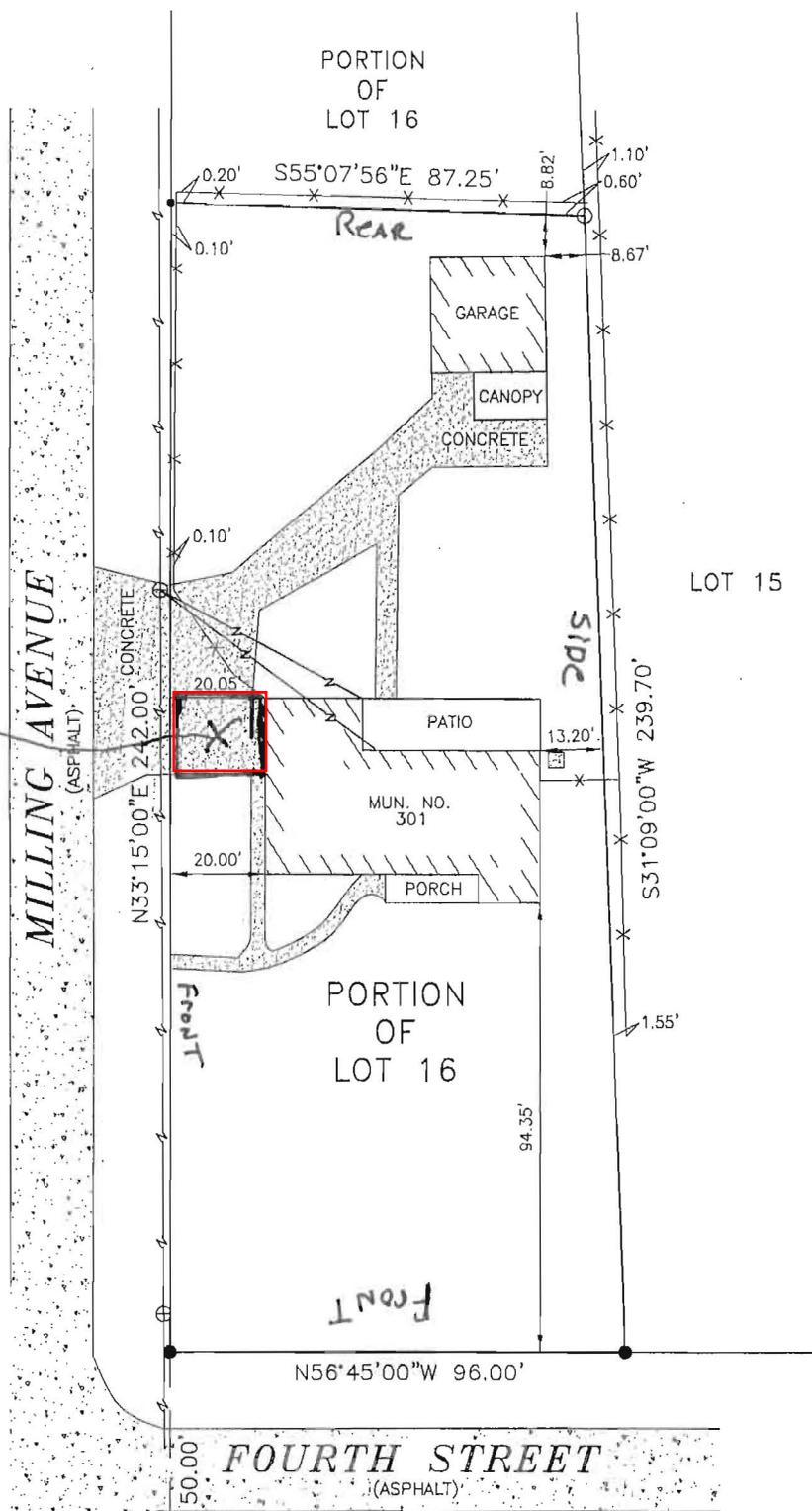
LEGEND

- = IRON PIPE FOUND
- = IRON ROD SET
- ⊕ = POWER POLE
- = POWER LINE
- x— = FENCE

SURVEY REFERENCE:

1. MAP OF A PORTION OF ELLINGTON PLANTATION BY JAMES S. WEBB, C.E. DATED AUGUST 2, 1927.
2. RESUBDIVISION OF LOTS 1 THROUGH 13 OF A SUBDIVISION OF LOTS 8 & 9 OF SECTION B AS PER PLAN BY E.M. COLLIER BEING A PORTION OF ELLINGTON PLANTATION AS PER PLAN BY JAMES S. WEBB, DATED AUG. 2, 1927 INTO LOTS 1A THROUGH 10A BY LUCIEN C. GASSEN, P.L.S. DATED MARCH 10, 1993.

ANGLE BASIS: TAKEN FROM REFERENCE MAP NO. 2.



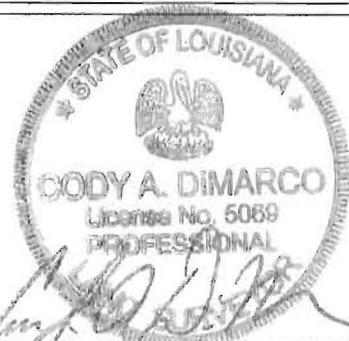
NOTE:
Improvements may not be to scale for clarity. The dimensions shown prevail over scale.

SURVEY OF A PORTION OF LOT 16, SECTION B, ELLINGTON ADDITION, SECTIONS 14, T-13-S, R-21-E ST. CHARLES PARISH, LOUISIANA

DADING, MARQUES & ASSOCIATES, LLC



P.O. BOX 790
METAIRIE, LA. 70004
(504) 834-0200



CODY A. DiMARCO
P.L.S. LA. ST. REG NO. 5069

I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION. MADE AT THE REQUEST OF:

PETER GEORGE VUJNOVICH
AND
KAYLA KINLER VUJNOVICH

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

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 "C" SURVEY.

DATE:	SCALE:	DRAWN BY:	CHECKED BY:	JOB NO.:	PLAT No.:
7-9-2017	1" = 40'	R.J.R.	C.A.D.		D-214-833

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: ZBA-2017-19

GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Peter and Kayla Vuynovich
301 Fourth Street
Luling, La. 70070

◆ **Location of Site:** 301 Fourth Street, Luling

◆ **Requested Action:** To reduce the required front yard setback from 20 ft. to 1 ft.

Purpose of Requested Action: Construct an open carport cover

SPECIFIC SITE INFORMATION

◆ **Size of Parcel:** Approx. 22,000 sq. ft.

◆ **Existing Zoning:** R-1A

◆ **Surrounding Land Uses and Zoning:** Residential

◆ **Utilities:** Standard utilities service the site.

◆ **Floodplain Information:** X zone

APPLICABLE CODE REGULATION

\St. Charles Code of Ordinances, Appendix A., Section VI. B. [I] 2.b. (1)

Minimum yard sizes:

(1) **Front—twenty (20) feet**

(2) Side—five (5) feet.

(3) Rear—twenty (20) feet

SUMMARY

1. On July 24, 2017 a request to construct an unenclosed carport at 301 Fourth St, Luling, Zoning District R-1A was denied for improper front setbacks.
2. The property forms a corner lot at the intersection of Fourth Street and Milling Ave. in Luling, therefore by ordinance it has two front yard setback requirements.
3. The proposed carport will extend from the west side of the house towards Milling Ave. on the existing driveway.
4. The submitted site plan indicates the carport will be 1' from the front property line; 20' is required. .
5. The house was constructed in the 1960's and has been enlarged and renovated though the years by previous owners.
6. One renovation modified the house in such a way the door on the Milling Street side became the primary entrance to the house which is 20' from the street right-of-way.
7. An Entergy official has inspected the site location with regards to their distribution lines which are located in the street right-of-way. The property owners proposed structure cannot be within 7.5' of the distribution line which it the top line on the power poles.

Departmental Finding of Fact Based Upon Application for Variance:

1. Applicant states the property is unique because it forms a large corner lot with the house located 94' feet from Fourth Street and 20' from Milling Avenue.

2. Applicant states they are deprived of rights enjoyed by other properties in the area because they can't protect their house from rain damage due to the location of the side entrance door. Also, several carports in the neighborhood have been constructed near the front property line.
3. Applicant states they did not cause the hardship. The property contained a carport which was damaged by Hurricane Katrina and was removed by previous owners. This cover served to protect the house and vehicles from weather damage. Photos provided indicating the location of the carport poles from the previous carport.
4. Applicant states granting the variance will not allow a special privilege regarding the front setback because of existing carports in the area.
5. Applicant states granting of the variance will not alter the character of the neighborhood because other carports have been constructed similarly throughout the neighborhood.
6. Applicant explains the hardship involves protection of their house and vehicles. The west side of their house is being damaged during rain storms. Water leaks under the exterior door and windows on that side of the house. They stated they need the carport for protection and increase the value of the property.
7. Applicant states alternative were considered such as moving it to back yard or front towards Fourth Street, but neither alternative would protect the west side of the house.
8. The applicant states the proposed structure will not cause negative impact to the neighborhood because it would not block the view of any neighbors backing out of their driveway.



Location of post from previous carport



Parish of St. Charles
 Department of Planning and Zoning
 P.O. Box 302 • Hahnville, Louisiana 70057
 (985) 783-5060 • Fax (985) 783-6447

**APPLICATION FOR PUBLIC HEARING
 ZONING BOARD OF ADJUSTMENT**

App rev. 09/15

ZBA Case #: 2017-20 Property Identification #: _____ Date submitted: 7-25-17
 Receipt #: 3472 Flood Zone: X-ZONE Zoning District: #4

Applicant name Charles Owcarz Phone # 504-858-0689
 Mailing Address 419 1st Street Des Ammands LA 70030 Email Address Boiec@aol.com
 Owner(s) Name Charles Owcarz Phone # 504-858-0689
 Mailing Address 419 1st Street Des Ammands LA 70030 Email Address Boiec@aol.com
 Municipal Address of Request 100 Beau Place Blvd.
 Subdivision Name: Beau Place
 Square # _____ Lot # 58 Property sq. ft. 13,200
 Describe the variance being applied for: ELEVATION CHANGE FOR NEW CONSTRUCTION
 Code Section being appealed: XX Requesting from 16 to -2.65

The Zoning Board of Adjustment's duty is to hear and decide request for variances from zoning regulations in which the applicant feels adherence to the regulation will cause an undue hardship or practical difficulty and not just a mere inconvenience. The Board bases their decision on the following criteria. Please respond to all of the following questions. You may submit on separate paper if necessary.

- Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
 - What unique condition exists on this property or structure which does not exist on other property or structures in the zoning district?

None

- Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 - Does the enforcement of the ordinance deprive you of rights enjoyed by other properties in the zoning district? If yes, list reasons?

Yes, there is a mix of elevations within the subdivision, as well as new properties recently built or in the process of being built at a lower than required elevation.

- The special conditions and circumstances do not result from the actions of the applicant.
 - Did you cause the hardship to your property or structure? NO, FEMA CHOSE

NOT TO RECOGNIZE EXISTING IGUEES / UNREASONABLY RAISING THE BASE FLOOD.

- Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
 - Will granting this variance allow you a special privilege or benefit which the Ordinance denied to other lands or structures in the zoning district?

NO. THE MAJORITY OF EXISTING HOMES ARE ALREADY AT A LOWER ELEVATION

- The variance, if granted, will not alter the essential character of the locality.
 - Explain how this variance will not alter the character of the neighborhood.

THERE ARE ALREADY EXISTING STRUCTURES AT THE ELEVATION WE WISH TO BUILD

- Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
 - Explain how meeting the regulation creates a hardship rather than an inconvenience.

THE COST TO ELEVATE IS SUBSTANTIAL.

7. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
- Explain alternative locations or construction plans which may be less convenient but meet the regulations. Financial hardship is not valid criteria to allow variances.

NONE AVAILABLE

8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- Could the requested variance endanger, inconvenience, or cause a nuisance for neighboring properties? How will you mitigate any potential effect?

ABSOLUTELY NOT.

House will be built according to original covenants set forth in the subdivision master plan.

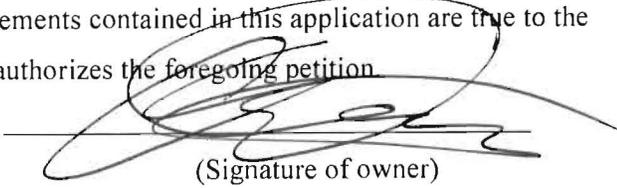
According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines: (may submit on additional paper if needed)

By granting the variance it will allow us to build to the original covenants set forth in the subdivision master plan in turn maintaining the character.

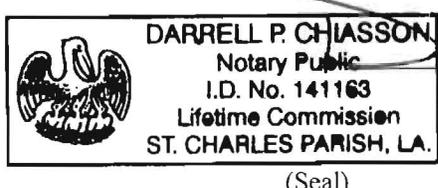
OWNER'S ENDORSEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

St. Charles Being duly sworn, 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)

Subscribed and sworn to before me this 24 day of JULY, 20 17
in my office at BAYOU LAUCHE, Louisiana.


(Seal)

D.P.C.
(Signature of Notary Public)

LUCIEN C. GASSEN

SURVEYING SERVICES
1026 GASSEN STREET
LULING, LA 70070

July 20, 2017

GRADE CERTIFICATE

Lot Number: 58 Square:

Subdivision: Beau Place Estates Phase 1

Municipal No.: Beau Place Boulevard

Firm Zone: X Base Flood Elevation: NA
DFIRM ZONE: AE DFIRM Advisory Base Flood Elevation: 6.00 NGVD
(CONSTRUCTION REQUIREMENT)

Existing Street Elevation: -3.65 NAVD

Existing Ground Elevation: -3.4 NAVD

Reference Elevation Mark Only: 2.00 NAVD

*(PROPOSED LOWEST FLOOR ELEVATION TO BE FILLED OUT BY BUILDER)

*PROPOSED LOWEST FLOOR ELEVATION: _____

DESCRIPTION: Mark on Light Pole in Front of Lot

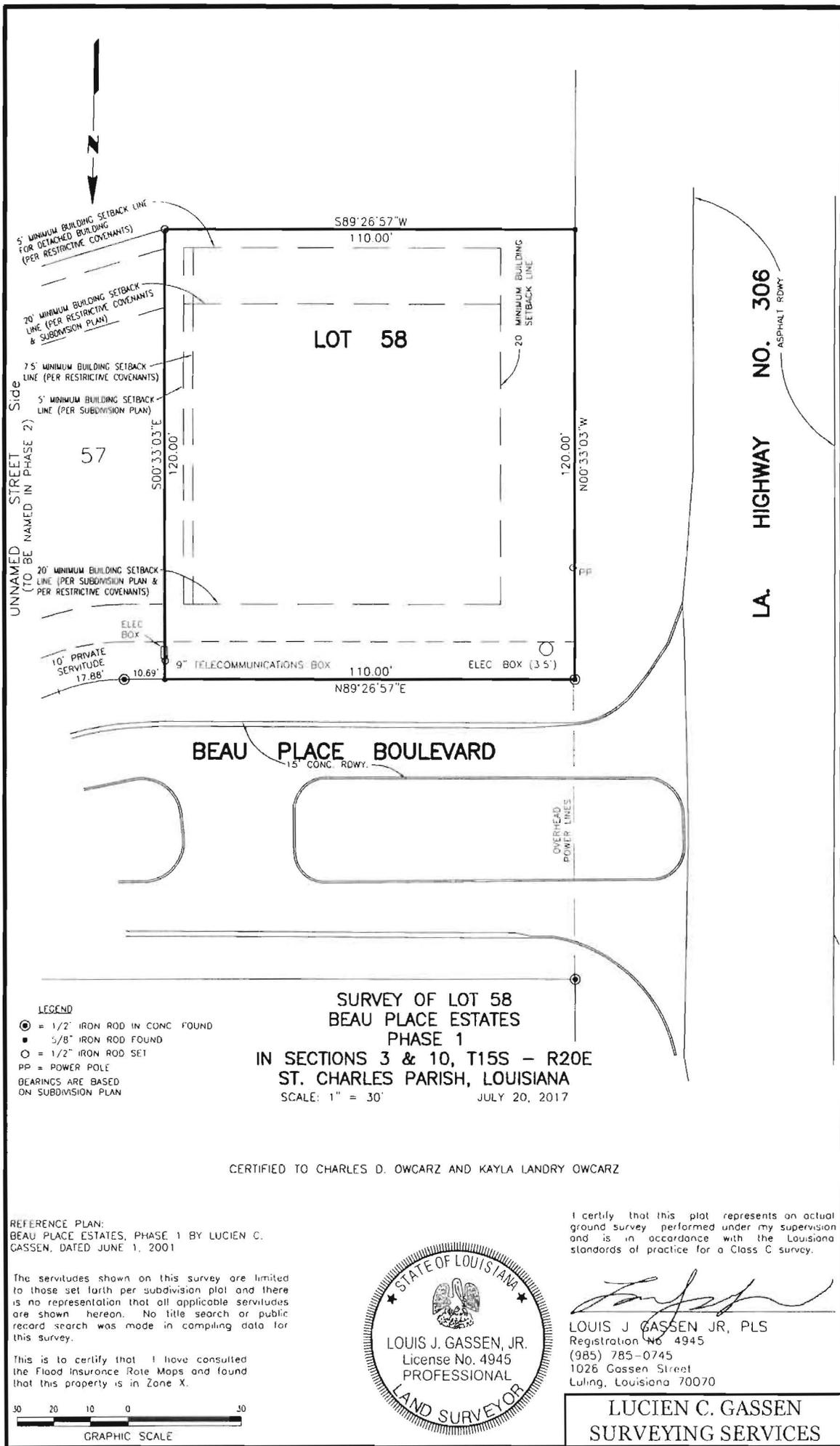
The undersigned will not be responsible for the transfer of elevations from the construction bench mark by the contractor or others.

*The floor of an attached enclosed garage may be considered as the lowest floor for Flood Insurance rating. Please consult your insurance agent.



Louis J. Gassen, Jr., Land Surveyor
Registration No. 4945

(985) 785-0745
(985) 785-8603 (Fax)



UNNAMED STREET (TO BE NAMED IN PHASE 2)
 Side

LA. HIGHWAY NO. 306
 ASPHALT RDWY.

BEAU PLACE BOULEVARD
 15' CONC. RDWY.

LEGEND
 ● = 1/2" IRON ROD IN CONC FOUND
 ■ = 5/8" IRON ROD FOUND
 ○ = 1/2" IRON ROD SET
 PP = POWER POLE
 BEARINGS ARE BASED ON SUBDIVISION PLAN

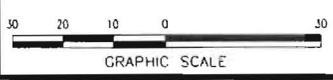
SURVEY OF LOT 58
 BEAU PLACE ESTATES
 PHASE 1
 IN SECTIONS 3 & 10, T15S - R20E
 ST. CHARLES PARISH, LOUISIANA
 SCALE: 1" = 30' JULY 20, 2017

CERTIFIED TO CHARLES D. OWCARZ AND KAYLA LANDRY OWCARZ

REFERENCE PLAN:
 BEAU PLACE ESTATES, PHASE 1 BY LUCIEN C. GASSEN, DATED JUNE 1, 2001

The servitudes shown on this survey are limited to those set forth per subdivision 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.



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