

**ST. CHARLES PARISH  
ZONING BOARD OF ADJUSTMENT  
NOVEMBER 16, 2017  
7:00 P.M.**

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE**

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- 1 ZBA-2017-25**  
Requested by: Seth Dufrene to vary the St. Charles Parish Code of Ordinances, Appendix A, Section VI.B.2.b.3 to reduce the required rear yard from 20 ft. to 5 ft. for the construction of an attached garage at 208 Debbie Ct., Luling. Zoning District R-1A. Council District 7.
- 9 ZBA-2017-26**  
Requested by: Kasie & Chad Perry to reduce the required base flood elevation from DFIRM AE+6 NGVD to -0.65 ft. NAVD at 315 Luke Dr., Des Allemands. Zoning District R-1A. Council District 4.
- 23 ZBA-2017-27**  
Requested by: Dunn Homes to reduce the required minimum lot width from 60 ft. to 50 ft. at 204 Sellers Ave., Luling. Zoning District R-1A. Council District 2
- 29 ZBA-2017-28**  
Requested by: Katie & Anthony Santos to reduce the required base flood elevation from DFIRM AE+6 to -3.00 ft. NAVD at 145 Pine St., Des Allemands. Zoning District R-1A. Council District 4.
- 39 ZBA-2017-29**  
Requested by: John E. Campo, Architect for ARC of St. Charles to reduce the required side yard setback from 5 ft. to 0.5 ft. at 114 Lakewood Dr., Luling. Zoning District C-2. Council District 7.

**OLD BUSINESS  
NEW BUSINESS**

**MINUTES – May 18, 2017, July 20, 2017, August 17, 2017, September 28, 2017  
ADJOURN**



LARRY COCHRAN  
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP  
PLANNING DIRECTOR

# 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](http://www.stcharlesparish-la.gov)

October 12, 2017

Seth Dufrene  
603 Lakewood Drive  
Luling, La. 70070

Dear Mr. Dufrene,

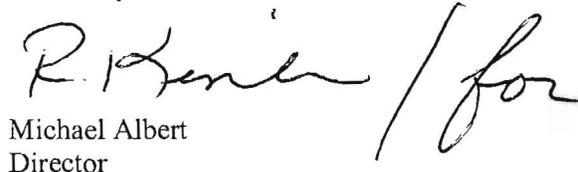
This letter is to inform you the request to construct a single family residence at 208 Debbie Court, Luling, zoning district R-1A, cannot be issued for the following reasons according to the St. Charles Code of Ordinances, Appendix A., Section VI. B. [I] 2.b.(3)

1. The submitted site plan indicates the attached garage of the proposed single family residence will be 5' from the rear property line instead of the required 20'.

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 #: 2017-25 Property Identification #: \_\_\_\_\_ Date submitted: 10-12-17  
 Receipt #: 3501 Flood Zone: AE Zoning District: R-1A

Applicant name Seth Dufrene Phone # 504 352-7414  
 Mailing Address 603 Lakewood Drive Email Address sethdufrene@yahoo.com  
 Owner(s) Name Seth & Alyssa Dufrene Phone # 504 352-7414  
 Mailing Address 603 Lakewood Drive Email Address seth.dufrene@yahoo.com  
 Municipal Address of Request 208 Debbie Court  
 Subdivision Name: Lakewood Ridge Estates / Debbie Ct Lot 4A  
 Square # \_\_\_\_\_ Lot # 4A Property sq. ft. .73 acres  
 Describe the variance being applied for: Variance to build attached garage within the 20ft setback.  
 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.

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?  
Cul de sac lot with pipeline on right property line. Odd shaped / Pie shaped lot.
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?  
I cannot fit the house desired due to pipeline & setbacks causing a small amount of area to build the home we would desire.
  - 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
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?  
NO
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.  
This will allow me to build a side-facing garage improving look of the neighborhood.
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. I can not build the home desired or needed to best utilize lot space, shape.

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.  
*I could build the garage detached from the home, but will look awkward in neighborhood & creates safety concerns.*
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?  
*I intend to keep my garage as far from property line as possible. Neighboring properties have large back yards w/ a fence separating our properties.*

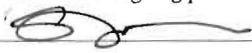
According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines: (may submit on additional paper if needed)

*I am requesting to build my attached garage within the 20ft setback on rear of property. Unlike other properties I cannot build to the 5ft setback on the right side of property due to pipeline. By moving home over 15ft it causes my garage to go beyond the 20ft setback requirement. Ordinance allows detached garage 5ft but not attached. Detached garage will not fit & will cause neighborhood to look awkward.*

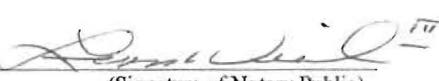
**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
 PARISH OF ST. CHARLES

Seth Dufrene 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 12<sup>th</sup> day of October, 2017  
 in my office at Madisonville, Louisiana.

  
 (Signature of Notary Public)  
 LOUISIANA  
 58925

(Seal)

**DIAMOND DESIGN**  
 Residential Planners  
 Covington, Louisiana  
 504-833-8093

DUFRENE RESIDENCE  
 LOT #4A DEBBIE COURT  
 ST. CHARLES PARISH, LA

PROJECT	
DATE	
SCALE	
BY	
CHECKED	
DATE	

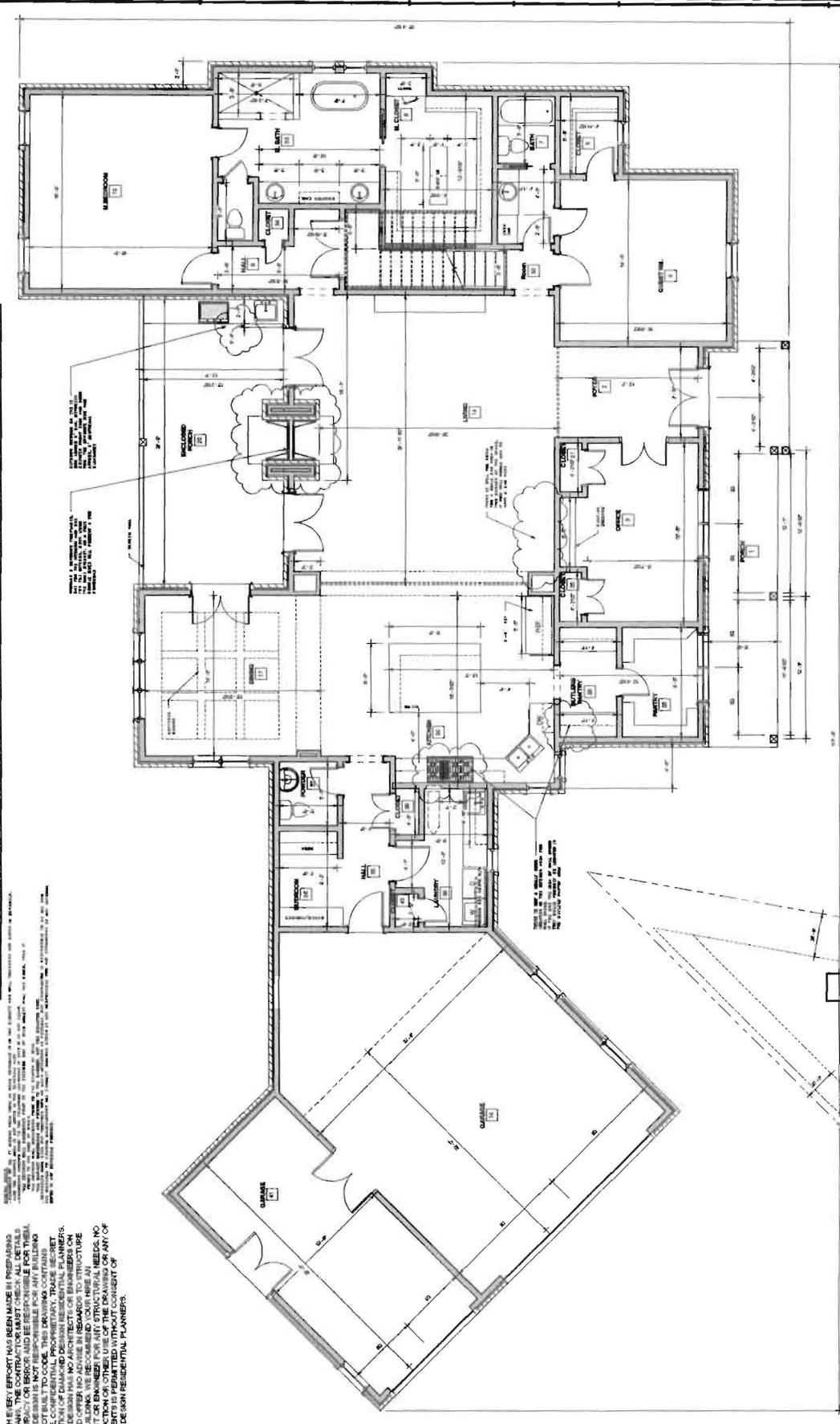
PROJECT	
DATE	
SCALE	
BY	
CHECKED	
DATE	

SHEET  
**A1.2**  
 OF

USE FOOTING	AREA
CONDITIONED	3181 SF
UNCONDITIONED	3181 SF
FRONT PORCH	250 SF
REAR PORCH	213 SF
UNCONDITIONED	1812 SF
UNCONDITIONED	4762 SF
Grand Total	

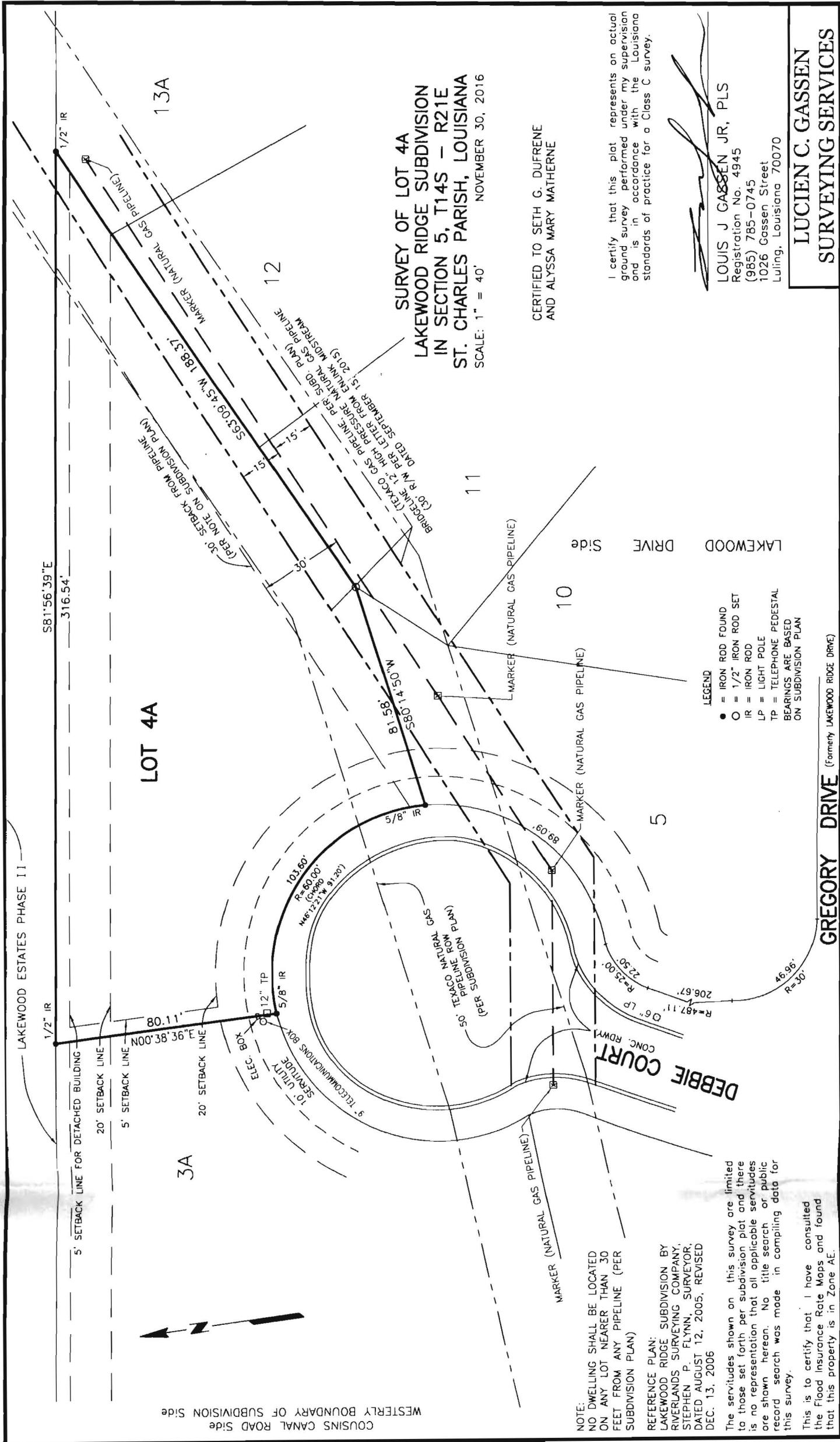
TO ANYONE WORKING ON THESE PLANS, IF THERE IS AN INCONSISTENCY AND YOU DO NOT CALL US IMMEDIATELY, YOU ARE THEREFORE RESPONSIBLE FOR ANY DISCREPANCY.

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS, THE CONTRACTOR MUST CHECK ALL DETAILS FOR ACCURACY OR ERROR AND BE RESPONSIBLE FOR THEIR VALIDITY. COMPRISED PROPRIETARY TRADE SECRETS. DIAMOND DESIGN HAS NO ARCHITECTS OR ENGINEERS ON STAFF AND OFFERS NO ADVICE IN REGARDS TO STRUCTURE OR MATERIALS. THE CONTRACTOR MUST CONSULT WITH AN ARCHITECT OR ENGINEER FOR ANY STRUCTURAL NEEDS. NO REPRODUCTION OR OTHER USE OF THE DRAWING OR ANY OF ITS PARTS WITHOUT THE WRITTEN PERMISSION OF DIAMOND DESIGN RESIDENTIAL PLANNERS.



**A1 1ST FLOOR**  
 1/8" = 1'-0"

**1 PLOT PLAN**  
 1" = 30'-0"



**SURVEY OF LOT 4A  
LAKEWOOD RIDGE SUBDIVISION  
IN SECTION 5, T14S - R21E  
ST. CHARLES PARISH, LOUISIANA**

NOVEMBER 30, 2016  
SCALE: 1" = 40'

CERTIFIED TO SETH G. DUFRENE  
AND ALYSSA MARY MATHERNE

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.

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

**LUCIEN C. GASSEN  
SURVEYING SERVICES**

**LOT 4A**

- LEGEND**
- = IRON ROD FOUND
  - = 1/2" IRON ROD SET
  - IR = IRON ROD
  - LP = LIGHT POLE
  - TP = TELEPHONE PEDESTAL
- BEARINGS ARE BASED ON SUBDIVISION PLAN

LAKEWOOD DRIVE Side

**GREGORY DRIVE** (Formerly LAKEWOOD RIDGE DRIVE)

**DEBBIE COURT**  
CONC. RDWY

**NOTE:**  
NO DWELLING SHALL BE LOCATED ON ANY LOT NEARER THAN 30 FEET FROM ANY PIPELINE (PER SUBDIVISION PLAN)

**REFERENCE PLAN:**  
LAKEWOOD RIDGE SUBDIVISION BY RIVERLANDS SURVEYING COMPANY, STEPHEN P. FLYNN, SURVEYOR, DATED AUGUST 12, 2005, REVISED DEC. 13, 2006

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 AE.

COUSINS CANAL ROAD Side  
WESTERLY BOUNDARY OF SUBDIVISION Side



# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2017-25**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Seth Dufrene  
603 Lakewood Drive  
Luling, La. 70070

◆ **Location of Site:** 208 Debbie Court, Luling, La.

◆ **Requested Action:** To reduce the required rear yard setback from 20 ft. to 5 ft.

**Purpose of Requested Action:** Construct an attached garage into the required rear yard.

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel:** Approx. .73 acres

◆ **Existing Zoning:** R-1A

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

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

◆ **Floodplain Information:** AE zone

### APPLICABLE CODE REGULATION

\St. Charles Code of Ordinances, Appendix A., Section VI. B. [I] 2.b. (3)

Minimum yard sizes:

(1) Front—twenty (20) feet

(2) Side—five (5) feet.

**(3) Rear—twenty (20) feet**

### SUMMARY

1. On October 12, 2017 a request to construct a single family residence with an attached garage at 208 Debbie Court, Luling, Zoning District R-1A was denied for improper rear setbacks.
2. The proposed attached garage will be 5' from the rear property line instead of 20'.

### Departmental Finding of Fact Based Upon Application for Variance:

1. Applicant states the property is unique from other properties in the area because it is a cul-de-sac lot with a pipeline running along the east side.
2. Applicant states they are deprived of rights enjoyed by other properties in the area which are built within the required setbacks because the west side of the lot is 80' in depth.
3. Applicant states they did not cause the hardship.
4. Applicant states granting the variance will not allow a special privilege regarding the rear setback. It should be noted a rear yard variance was granted to allow a 9' rear setback (ZBA 2107-02).
5. Applicant states granting of the variance will not alter the character of the neighborhood because the front of the garage will be facing the street.
6. Applicant explains this layout will allow him to utilize the lot space and shape.
7. Applicant states alternative locations would look awkward and create safety concerns.
8. The applicant states the proposed structure will not cause negative impact to the neighborhood because of existing fences which separate the neighbor's property.





# ST. CHARLES PARISH

## DEPARTMENT OF PLANNING & ZONING

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LARRY COCHRAN  
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP  
PLANNING DIRECTOR

October 17, 2017

Kasi Perry  
144 Pine Street  
Des Allemands, La 70030

Dear Mrs. Perry,

This letter is to inform you the request to construct a house at 315 Luke, Des Allemands, La., zoning district R-1A 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 house will be at -0.65' NAVD and not meet the required DFIRM of AE+6' 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



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 Department of Planning and Zoning  
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**APPLICATION FOR PUBLIC HEARING  
 ZONING BOARD OF ADJUSTMENT**

App rev. 09/15

ZBA Case #: 2017-26 Property Identification #: \_\_\_\_\_ Date submitted: 10/17/17  
 Receipt #: 3503 Flood Zone: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Applicant name: Kasie & Chad Perry Phone #: 504-274-7078  
 Mailing Address: 144 Pine St Email Address: Chadperry@gmail.com  
 Owner(s) Name: Kasie & Chad Perry Phone #: 504-416-0060  
 Mailing Address: 144 Pine St Des Atkemo Email Address: KLPerry@yahoo.com  
 Municipal Address of Request: 315 Luke Pl.  
 Subdivision Name: Legend Oaks Subd.  
 Square #: \_\_\_\_\_ Lot #: 307 Property sq. ft.: 14,683  
 Describe the variance being applied for: Build a home 2' above  
Street level  
 Code Section being appealed: App A Sec 88 Flood Regulation

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

- 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.

NO

- 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.

It would cause drainags problems, flooding neighbors and health conditions of my self and my mom

- 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

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)

- ① With a wide mound of dirt there would not be enough of a slope to the property for drainages problems and cause problems to the foundation to the home.
- ② I would be flooding my neighbors that would be build lower than me.
- ③ For my mom that will be living with us with health condition that have to avoid stairs.
- ④ my health submit statement from Dr.

See attachments 11

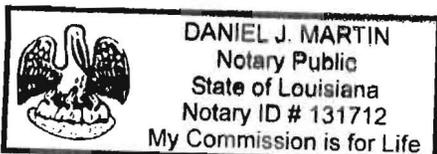
**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Chad A Perry 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 14th day of October 2017  
in my office at Luling, Louisiana.



[Signature]  
(Signature of Notary Public)

(Seal)



# 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.) raise elevation with dirt+fill
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.) Disabled mother couldn't live with us because she can't climb stairs
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.) Dirt fill could cause drainags problems.
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: 14,659.50
  - C. Existing average grade at center of property and existing grades of all corners: \_\_\_\_\_
  - D. Existing center line street grades: -1.65
  - 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 of denial of the application (i.e. drainage canals, levees, etc.): \_\_\_\_\_
  - G. Photographs of the property and adjacent properties.
  - H. Any other pertinent information or documents to support this request.

**ACKNOWLEDGEMENT, INDEMINIFICATION AND HOLD HARMLESS**

**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 Kasie & Chad Perry (hereinafter "appearers"), after being duly sworn, acknowledged that they are the owners of the property located at Legend Oaks Subd., and that said property was acquired by instrument registered in the official records of St. Charles Parish at COB 651 FOLIO 517. 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 +6; however the building(s) elevation will be -0.65 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 14th day of October, 2017.

**WITNESSES:**

[Signature]  
\_\_\_\_\_

PRINT NAME: Clifford J. Detman

[Signature]  
\_\_\_\_\_

PRINT NAME: Carnell Baldwin

**APPEARERS:**

[Signature]  
\_\_\_\_\_

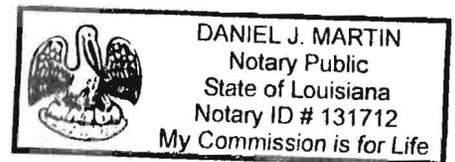
Kasie and Chad Perry  
\_\_\_\_\_

[Signature]  
\_\_\_\_\_  
**NOTARY PUBLIC**

PRINT NAME: \_\_\_\_\_

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

**SEAL REQUIRED**





Date: 10/12/2017

To Whom It May Concern:

RE: CABRAL, CONNIE

Patient I.D. Number 19757

CONNIE CABRAL will be unable to return to:

- work
- school
- gym class
- athletic activities

until: \_\_\_\_\_

CONNIE CABRAL will be able to return to work/school beginning: \_\_\_\_\_, with the following restrictions:

- no restrictions
- light work duties
- reduced working hours (specify) \_\_\_\_\_
- restrictions or comments Patient has multiple orthopaedic conditions and would greatly benefit from staying on a single level, avoiding stairs.
- no lifting more than \_\_\_\_\_ lbs
- no operation of hazardous or fast moving machine, no driving \_\_\_\_\_
- ground level work only, no ladders or heights \_\_\_\_\_
- no repeated bending, stooping, squatting, pushing, jerking, twisting
- no continuous standing or \_\_\_\_\_ sitting
- No use of  L  R Arm  L  R Leg
- Minimum walking, climbing (includes stairs)
- Must wear elastic support, immobilizer, or keep taped
- Limited use of \_\_\_\_\_

I plan to see CONNIE CABRAL again \_\_\_\_\_

Signature of Physician  
Scott J Habetz, MD

1111 Medical Center Blvd. 120 Meadowcrest St. Main: 504-349-6800  
Suite N613 Suite 410 Fax: 504-349-6621  
Marrero, LA 70072-3166 Gretna, LA 70056-5250 Appts: 504-349-6810

Frederick G. Kushner, MD  
Edmund Kenneth Karut, MD  
Leslie W. Lovanson, MD  
Louis B. Glade, MD  
Medical Director  
Robert D. Mathanay, MD  
Brian J. Cospolich, MD  
Maurice W. Strain, MD  
Stephen P. LaGuardia, MD

Thelma L. Samsa, MSN  
Nurse Practitioner  
Tracy M. Fife, MSN  
Nurse Practitioner

10/13/2017

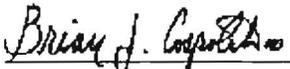
RE: Chad A. Perry  
DOB: 11/17/1981

TO WHOM IT MAY CONCERN:

Mr. Perry is a 35 year old patient with history of previous stroke in August 2015 due to a cerebral venous sinus thrombosis caused by increased thrombosis risk. He has a heterogeneous gene defect of prothrombin G2021A which caused an increased thrombosis risk. He is on warfarin anticoagulation and still gets short of breath when trying to ascend stairs up or down. He is on chronic Coumadin anticoagulation. He tells me he has to build his house elevated off the ground at least seven feet plus and due to his medical condition, I do not believe he is going to be able to climb the stairs in an adequate fashion if this were to be the case.

Please call if there is any further information needed from my office.

Sincerely,

  
Brian J. Cospolich, M.D.

/sld

# LUCIEN C. GASSEN

SURVEYING SERVICES  
1026 GASSEN STREET  
LULING, LA 70070

October 10, 2017

## GRADE CERTIFICATE

Lot Number: 307

Square:

Subdivision: Legend Oaks

Municipal No.: 315 Luke Drive

Firm Zone: X

Base Flood Elevation: NA

DFIRM ZONE: AE

DFIRM Advisory Base Flood Elevation: 6.00 NGVD

Existing Street Elevation: ..... -1.65 NAVD

Existing Ground Elevation: ..... -1.4 NAVD

Reference Elevation Mark: ..... 2.00 NAVD

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

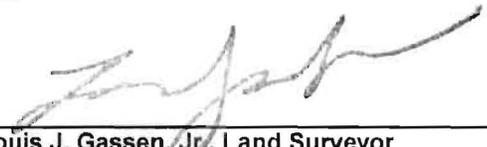
\*PROPOSED LOWEST FLOOR ELEVATION: \_\_\_\_\_

**DESCRIPTION:** Mark on Light Pole Across the Street

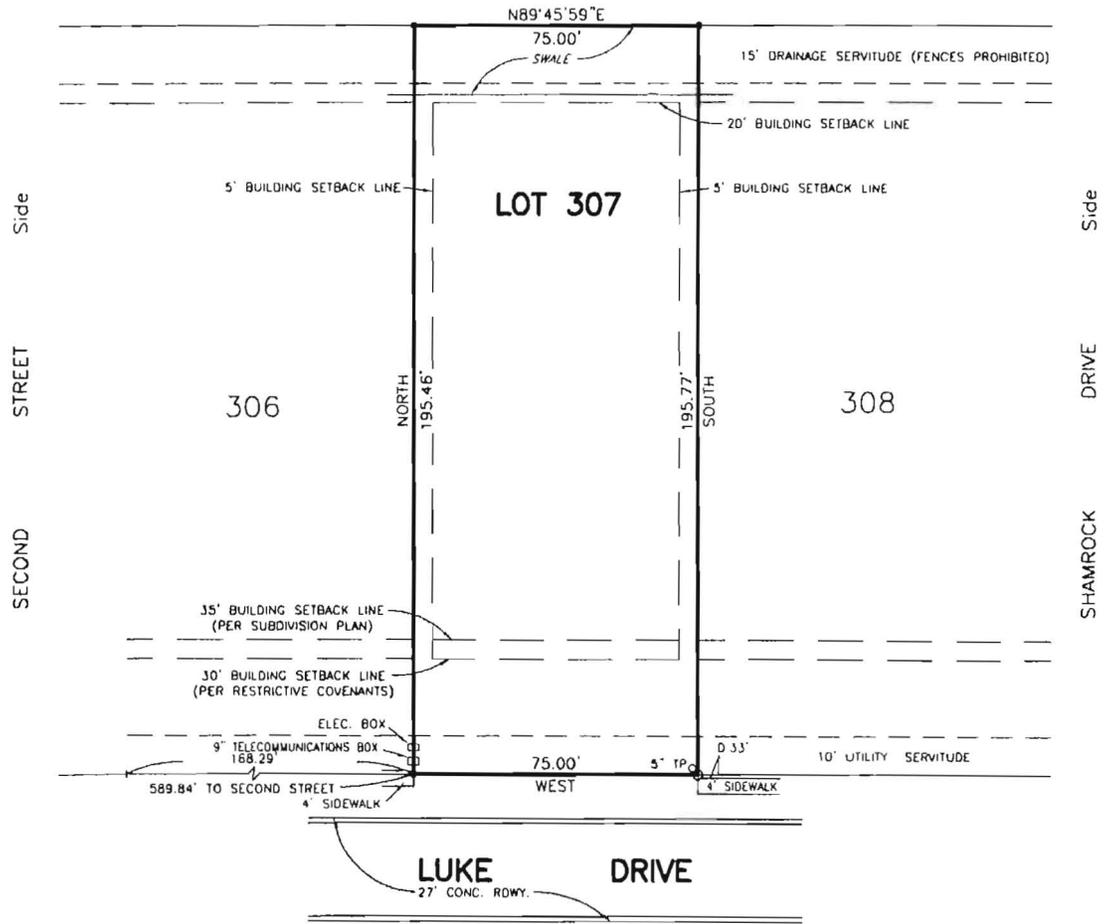
The undersigned will not be responsible for the transfer of elevations from the construction bench mark by the contractor or others.

\*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)



**SURVEY OF LOT 307  
LEGEND OAKS  
IN SECTION 34, T14S - R20E  
ST. CHARLES PARISH, LOUISIANA**  
SCALE: 1" = 40'      OCTOBER 10, 2017

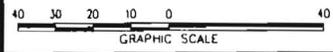
- LEGEND**
- = 1/2" IRON ROD FOUND
  - = 1/2" IRON ROD SET
  - TP = TELEPHONE PEDESTAL
- BEARINGS ARE BASED ON SUBDIVISION PLAN

CERTIFIED TO CHAD ANTHONY PERRY AND KASIE LYNN CABRAL-PERRY

REFERENCE PLAN:  
LEGEND OAKS BY LUCIEN C. GASSEN,  
DATED APRIL 15, 2005

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 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.

*[Signature]*

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

**LUCIEN C. GASSEN  
SURVEYING SERVICES**







# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

CASE NUMBER: ZBA-2017-26

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Kasi and Chad Perry  
144 Pine Street  
Des Allemands, La

◆ **Location of Site:**

315 Luke Drive, Des Allemands

◆ **Requested Action:**

To reduce the DFRIM (digital flood rate insurance maps) from AE +6 ft. to -0.65 ft. NAVD

◆ **Purpose of Requested Action:**

Construction of a single family structure

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel:**

14,683 sq. ft.

◆ **Existing Zoning:**

R-1A

◆ **Surrounding Land Uses and Zoning:**

Residential

**Floodplain Information:**

X zone with a DFIRM AE +6

### APPLICABLE CODE REGULATION

[Exceptions.] [The Board is Authorized] To permit the following exceptions:  
Appendix A Section XX. Flood Damage Prevention, E. b. 1.

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 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 October 17, 2017 a request to construct a single family residence at 315 Luke, Drive, Des Allemands, LA zoning district R-1A, DFRIM AE+6 was denied for improper flood elevation.
2. The proposed lowest floor of the structure is -0.65 ft. which will be at least 12 inches above the centerline of the street.
3. 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.
2. Enforcement of the ordinance would deprive the applicant of rights enjoyed by surrounding properties because the majority of the surrounding houses were built pre-DFRIM at X Zone which was 12 inches minimum above the centerline of the street.
3. The applicant's hardship was created by the advisory DFRIM.
4. Granting the variance will not benefit the applicant more than surrounding properties in the neighborhood.
5. Granting of the variance will not alter the character of the neighborhood because several houses are built below the construction DFIRM currently required.
6. Applicant states the flood zone elevation creates hardship based on flooding neighbors and accessibility.
7. Applicant did not state alternative construction methods.
8. Applicant states granting the variance would not cause negative impact to the surrounding properties.





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 #: 2017-27 Property Identification #: \_\_\_\_\_ Date submitted: 10/19/17  
 Receipt #: 3506 Flood Zone: X Zoning District: R-1A

Applicant name: Dunn Homes (Vicki Dunn) Phone # 504-559-2631  
 Mailing Address: 104 Edna Dr. Des Allemands La 70030 Email Address: Dunnhomes@yahoo.com  
 Owner(s) Name: Dunn Homes LLC Phone # 504-615-2500  
 Mailing Address: 104 Edna Dr. Des Allemands La 70030 Email Address: Dunnhomes@yahoo.com  
 Municipal Address of Request: 204 Sellers Ave  
 Subdivision Name: Ellington Addn. to Luling  
 Square # Block # 201 Lot # 11 Property sq. ft. 7500

Describe the variance being applied for: We are requesting to build a single family home on a lot that has a 50' frontage  
 Code Section being appealed: App. A Sec IX Nonconformities A. 3+4

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?

N/A

- 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 - Several homes are built on 50' lots

- 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, because there are other home that are built on 50' front lots

ZBA 2014-35

- 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.

The subdivision was originally drawn with 50' lots, Most of the homes are built on a 50' lot.

- 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.

This lot would become a vacant piece of property with no use.

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.

There is no alternative solution, this lot can not be enlarged.

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, I feel the home would blend in just fine as there are several homes in the neighborhood built on 50' lots.

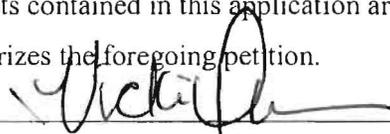
According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines: (may submit on additional paper if needed)

I feel this is a reasonable request as it would not alter the character of the subdivision. Most homes in Ellington Addition sit on a 50x150 lot. This was a conforming lot until the parish changed the requirements. We can't enlarge the lot. There is a home built on a 50' lot to the left of the lot & we do not own the land to the right of the ~~lot~~. The lot size surpasses the min. required sq. footage by 1500 sq. ft.  
Thank you Vicki

**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Vicki Dunn 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 19<sup>th</sup> day of October, 2017  
in my office at Ashville, Louisiana.



(Signature of Notary Public)

Laura C. V. A. /  
58825

(Seal)

MILLING AVENUE Side



**SURVEY OF LOT 11, SQUARE 201  
 ELLINGTON ADDITION TO  
 THE TOWN OF LULING  
 BEING A SUBDIVISION OF A PORTION  
 OF ELLINGTON PLANTATION  
 IN SECTIONS 13, 14 & 15, T13S - R21E  
 ST. CHARLES PARISH, LOUISIANA**  
 SCALE: 1" = 30'      OCTOBER 18, 2017

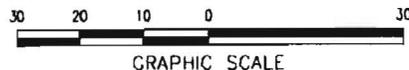
**LEGEND**  
 ● = 1/2" IRON ROD FOUND  
 ○ = 1/2" IRON ROD SET

CERTIFIED TO DUNN HOMES, LLC

REFERENCE PLAN:  
 ELLINGTON ADDITION TO THE TOWN OF LULING  
 BY JAMES S. WEBB, DATED JULY 14, 1921,  
 REVISED JAN. 30, 1923 AND JAN. 15, 1925

The reference plot 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 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.

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

**LUCIEN C. GASSEN  
 SURVEYING SERVICES**

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2017-27**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Dunn Homes  
124 Edna Drive  
Des Allemands, La. 70030

◆ **Location of Site:**

205 Sellers Ave., Luling, La

◆ **Requested Action:**

To allow the construction of a single family residence on a non-conforming lot.

◆ **Purpose of Requested Action:**

Construct a single family residence

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel:**

7,500 sq. ft. (50' x 150')

◆ **Existing Zoning:**

R-1A

◆ **Surrounding Land Uses and Zoning:**

Residential

◆ **Utilities:**

Standard utilities service the site.

### **Floodplain Information:**

X zone

### **APPLICABLE REGULATION:**

Appendix A Section XIII F., states the conditions that allow ZBA to vary yard setback regulations. The regulations state, "Vary the yard regulations where there is an exceptional or unusual physical condition of a lot, which condition is not generally prevalent in the neighborhood and which condition when related to the yard regulations of this ordinance would prevent a reasonable or sensible arrangement of buildings on the lot."

## **APPLICABLE CODE REGULATION**

St. Charles Code of Ordinances, Appendix A., Section IX Nonconformities. A. 3.&4.

(3) If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the **lots do not meet the requirements for lot width** and area as established by this Ordinance, **the lands involved shall be considered to be an undivided parcel** for the purposes of this Ordinance.

(4) **No portion of the parcel described immediately above shall be used or sold which does not meet lot width** and area requirements established by this Ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Ordinance.

## **SUMMARY**

1. On October 19, 2017 an application request was denied to allow construction of a single family residence at 204 Sellers Ave. Luling, La. zoning district R-1A because the lot is nonconforming lot.
2. The lot is non-conforming with regards to the lot width being 50' instead of the required 60'.
3. The applicant recently purchased lot 10 and 11 of square 201 Ellington Additon Subdivison. Lot 10 contains house which was constructed in the 1960's and lot 11 is a vacant. Lot 11 was common ownership with lot 10 prior to the adoption of the 1981 Code of Ordinances.
4. The current zoning ordinance requires the Planning Department consider the 2 lots as an unsubdivided parcel even though the previous owner has constructed a house on lot 10.
5. The intent of the ordinance is to eliminate non-conforming lots.
6. If the lot would have been in single ownership prior to the adoption of the current Code of Ordinances in 1981, a permit could have been issued.

## **Departmental Finding of Fact Based Upon Application for Variance:**

1. Applicant states the property has no unique features.
2. Applicant states they would be deprived of rights enjoyed by other properties in the area which are located on 50' wide lots
3. Applicant states he did not cause the hardship.
4. Applicant states granting the variance will not allow a special privilege because other houses in the area are built on 50' wide lots.
5. Applicant stated granting of the variance will not alter the character of the neighborhood
6. Applicant states the hardship is created because the lot would remain vacant
7. Applicant states there is no alternative.
8. The applicant states the proposed structure will not cause negative impact to the neighbor's property because many of the homes in the area are constructed on 50' wide lots.





# 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](http://www.stcharlesparish-la.gov)

LARRY COCHRAN  
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP  
PLANNING DIRECTOR

October 23, 2017

Anthony Santos  
140 Pine Street  
Des Allemands, La 70030

Dear Mr. Santos,

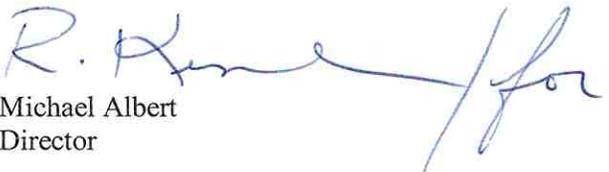
This letter is to inform you the request to construct a house at 145 Pine Street, Des Allemands, La., zoning district R-1A has been rejected. This permit cannot be issued for the following reasons according to the St. Charles Code of Ordinances XX C.2 as amended by Ord. 13-7-7:

1. The submitted site plan and grade certificate indicates that the proposed house will be at -3.00' NAVD and not meet the required DFIRM of AE+6' 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 #: 2017-28 Property Identification #: \_\_\_\_\_ Date submitted: 10/23/17  
 Receipt #: 3508 Flood Zone: AE+G Zoning District: R-1A

Applicant name Anthony + Katie Santos Phone # 985-258-4939 ✓  
 Mailing Address 1491 Flammarco Rd Gretna, LA Email Address tony@ec-innovations.com  
 Owner(s) Name Richard + Sarah DeBorde Phone # 504-498-7384  
 Mailing Address 140 Pine St. Des Allemands LA Email Address \_\_\_\_\_  
 Municipal Address of Request 145 Pine St Des Allemands, LA 70030  
 Subdivision Name: Pine Street Elykston  
 Square # 3 Lot # 5 Property sq. ft. 13500  
 Describe the variance being applied for: Wave elevation to +1 above street

Code Section being appealed: App A Sec XX

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.

- 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?**

To be consistent with neighborhood

- 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?**

Same as above

- 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?** No

- 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?**

No

- 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.**  
Will not be the same character of other properties
- 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.**

Elevation will be a problem, having 3 small children  
 Ages 4, 3, and 4 months

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.

The Area is right for raising Children

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 There will be no impact to the subdivision /  
Pine Street

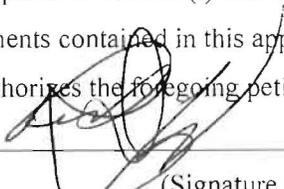
According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines: (may submit on additional paper if needed)

As previously stated the height would be  
A problem - small children will have problems  
with the height

**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Richard Dufrere 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 21st day of October, 2017  
in my office at Des Allemands, Louisiana.

**LLOYD JOSEPH FRICKEY  
NOTARY PUBLIC  
PARISH OF ST. CHARLES  
ID# 15308**

  
\_\_\_\_\_  
(Signature of Notary Public)

(Seal)



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? 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: 13,500
  - C. Existing average grade at center of property and existing grades of all corners: (Attached)
  - D. Existing center line street grades: (Attached)
  - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: None
  - F. Any other physical features which may affect the granting of denial of the application (i.e. drainage canals, levees, etc.): No
  - G. Photographs of the property and adjacent properties.
  - H. Any other pertinent information or documents to support this request.

**ACKNOWLEDGEMENT, INDEMINIFCATION AND HOLD HARMLESS**

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 Anthony Santos, (hereinafter "appearers"), after being duly sworn, acknowledged that they are the owners of the property located at 145 Pine St Des Allemands La 70038, and that said property was acquired by instrument registered in the official records of St. Charles Parish at COB 594 FOLIO 408. 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 +6; however the building(s) elevation will be -3.00 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 21<sup>st</sup> day of October, 2017

WITNESSES:

Dorcas Frickey

PRINT NAME: DORCAS FRICKEY

Sarah B. Dufrene

PRINT NAME: SARAH B. DUFRÈNE

APPEARERS:

[Signature]

[Signature]

\_\_\_\_\_  
NOTARY PUBLIC

PRINT NAME: [Signature]

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

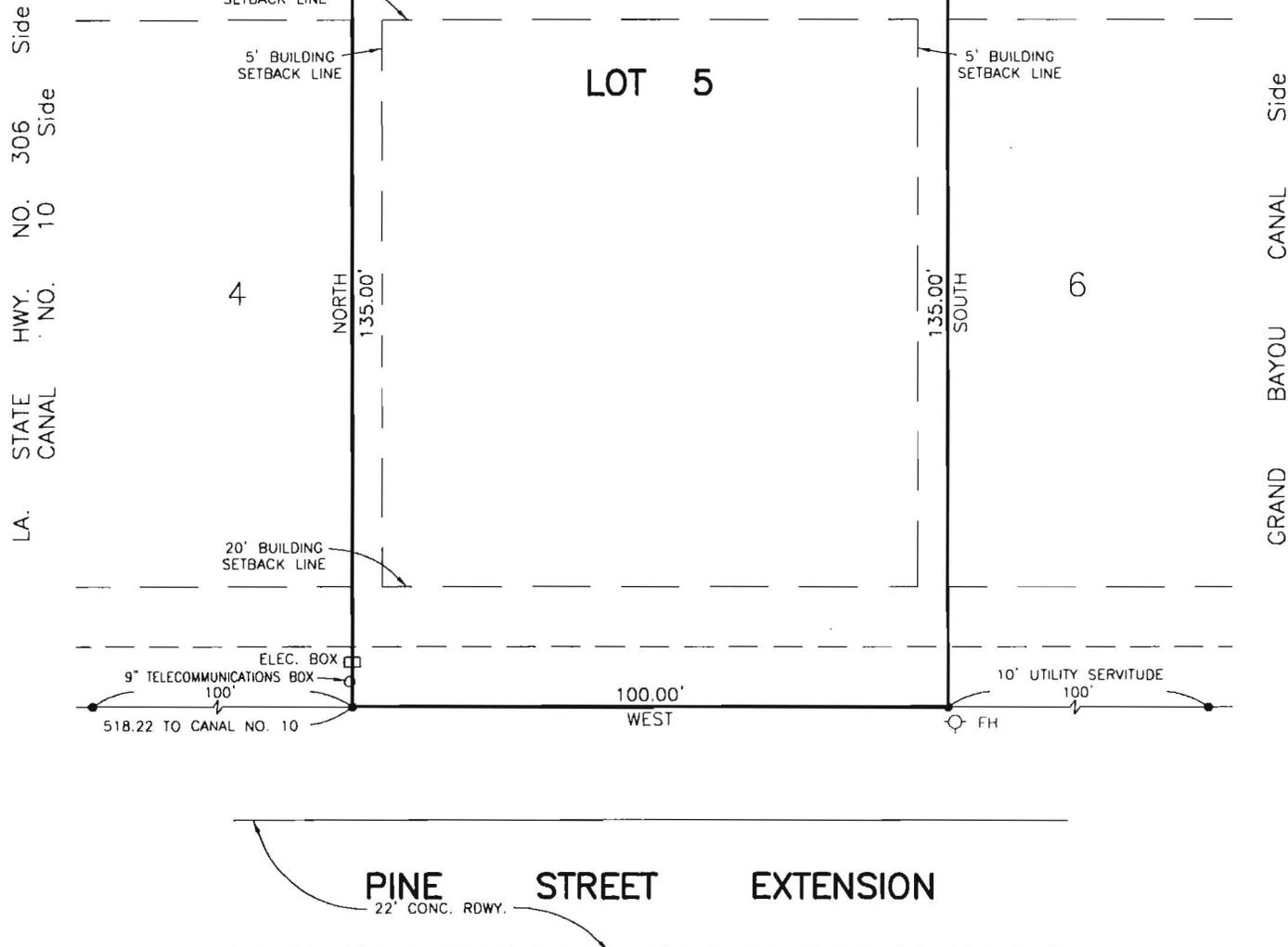
SEAL REQUIRED

LLOYD JOSEPH FRICKEY  
NOTARY PUBLIC  
PARISH OF ST. CHARLES  
ID# 15308



SOUTH BAYOU ESTATES DRIVE Side

BAYOU ESTATES SOUTH



PINE STREET EXTENSION

22' CONC. RDWY.

**SURVEY OF LOT 5, BLOCK 3  
PINE STREET EXTENSION  
IN SECTION 3, T15S - R20E  
ST. CHARLES PARISH, LOUISIANA**

SCALE: 1" = 30'      OCTOBER 10, 2017

**LEGEND**

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

CERTIFIED TO ANTHONY SANTOS III AND KATIE SANTOS

REFERENCE PLAN:  
PINE STREET EXTENSION BY MICHAEL D. BERNARD,  
DATED FEB. 14, 2001

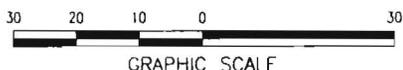
The servitudes shown on this survey are limited to those set forth per subdivision plot and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

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 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.

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

**LUCIEN C. GASSEN  
SURVEYING SERVICES**





**LUCIEN C. GASSEN**

**SURVEYING SERVICES**  
1026 GASSEN STREET  
LULING, LA 70070

October 10, 2017

**GRADE CERTIFICATE**

Lot Number: 5 Square:

Subdivision: Pine Street Extension

Municipal No.: 145 Pine Street

Firm Zone: X Base Flood Elevation: NA  
**DFIRM ZONE: AE DFIRM Advisory Base Flood Elevation: 6.00 NGVD**

Existing Street Elevation: ..... -4.00 NAVD  
Existing Ground Elevation: ..... -2.2 NAVD  
**Reference Elevation Mark:** ..... 0.00 NAVD

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

\*PROPOSED LOWEST FLOOR ELEVATION: \_\_\_\_\_

**DESCRIPTION:** Mark on Light Pole Across the Street

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.



*[Handwritten Signature]*  
 \_\_\_\_\_  
**Louis J. Gassen, Jr., Land Surveyor**  
**Registration No. 4945**

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

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2017-28**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Anthony Santos  
140 Pine Street  
Des Allemands, 70030

◆ **Location of Site:**

145 Pine Street., Des Allemands

◆ **Requested Action:**

To reduce the DFRIM (digital flood rate insurance maps) from AE +6 ft. to -3.00 ft. NAVD

◆ **Purpose of Requested Action:**

Construction of a single family structure

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel:**

13,500 sq. ft.

◆ **Existing Zoning:**

R-1A

◆ **Surrounding Land Uses and Zoning:**

Residential

**Floodplain Information:**

X zone with a DFIRM AE +6

### APPLICABLE CODE REGULATION

[Exceptions.] [The Board is Authorized] To permit the following exceptions:  
Appendix A Section XX. Flood Damage Prevention, E. b. 1.

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 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 October 23, 2017 a request to construct a single family residence at 145 Pine Street, Des Allemands, LA zoning district R-1A was denied for improper flood elevation.
2. The proposed lowest floor of the structure is -3.00 feet NAVD which is 9.00 feet below the required AE + 6 ft. NAVD (North America Vertical Datum)
3. The existing street elevation is -4.00' and the ground elevation is -2.2'.
4. The lowest floor level will be over 1' above the center of the street. 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.
2. Enforcement of the ordinance would deprive the applicant of rights enjoyed by surrounding properties because the majority of the surrounding houses were built pre-DFRIM at X Zone which was 12" minimum above the centerline of the street.
3. The applicant's hardship was created by the advisory DFRIM.
4. Granting the variance will not benefit the applicant several surrounding properties in the neighborhood.
5. Granting of the variance will not alter the character of the neighborhood because several are below the construction DFIRM currently required.
6. The flood zone elevation creates an inconvenience rather than a hardship based on accessibility.
7. Applicant does not mention alternative construction methods.
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](http://www.stcharlesparish-la.gov)

LARRY COCHRAN  
PARISH PRESIDENT

October 24, 2017

MICHAEL J. ALBERT, AICP  
PLANNING DIRECTOR

John Campo  
105 Ducayet Drive  
Destrehan, La. 70047

Dear Mr. Campo,

This letter is to inform you the request for a building permit to construct an addition to the existing commercial building at 114 Lakewood Drive, La. has been rejected. This request cannot be processed for the following reasons according to the St. Charles Code of Ordinances Appendix A;

1. Section VI. C. [III.] 2. b. 2. The submitted site indicates the canopy drop off will be 0.5' from the side property line instead of the required 5' 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  
 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 #: 2017-29 Property Identification #: \_\_\_\_\_ Date submitted: 10/24/17  
 Receipt #: 3509 Flood Zone: X Zoning District: C-2

Applicant name JOHN E CAMPO, ARCHITECT Phone # (985) 764-8959  
 Mailing Address 105 DUCAYET DR., DESTREHAN, LA Email Address JECTIGER@BILLSOUTH.NET  
 Owner(s) Name ARC OF ST. CHARLES  
VICTORIA BRYANT, EXEC. DIRECTOR Phone # 985 785-0971  
 Mailing Address P.O. BOX 455, BOULTE, LA 70039 Email Address VBRYANT@ARCOFSTCHARLES.COM  
 Municipal Address of Request 114 LAKEWOOD DRIVE, LULING, LA 70070  
 Subdivision Name: LAKEWOOD WEST - COMMERCIAL  
 Square # C Lot # 3-B Property sq. ft. 20,020 SF.  
 Describe the variance being applied for: SIDE YARD REQUIREMENT FROM 5' DOWN TO 2' FOR A DROP-OFF COVERED CANOPY.  
 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.

- 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 attached

- 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?

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

- 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?

- 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.

- 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.

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?
- 
- 

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)

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see attached

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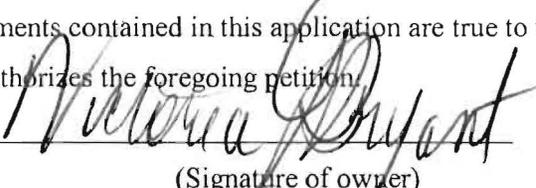


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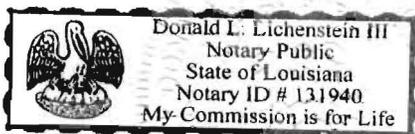
**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Victoria L. Bryant 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.

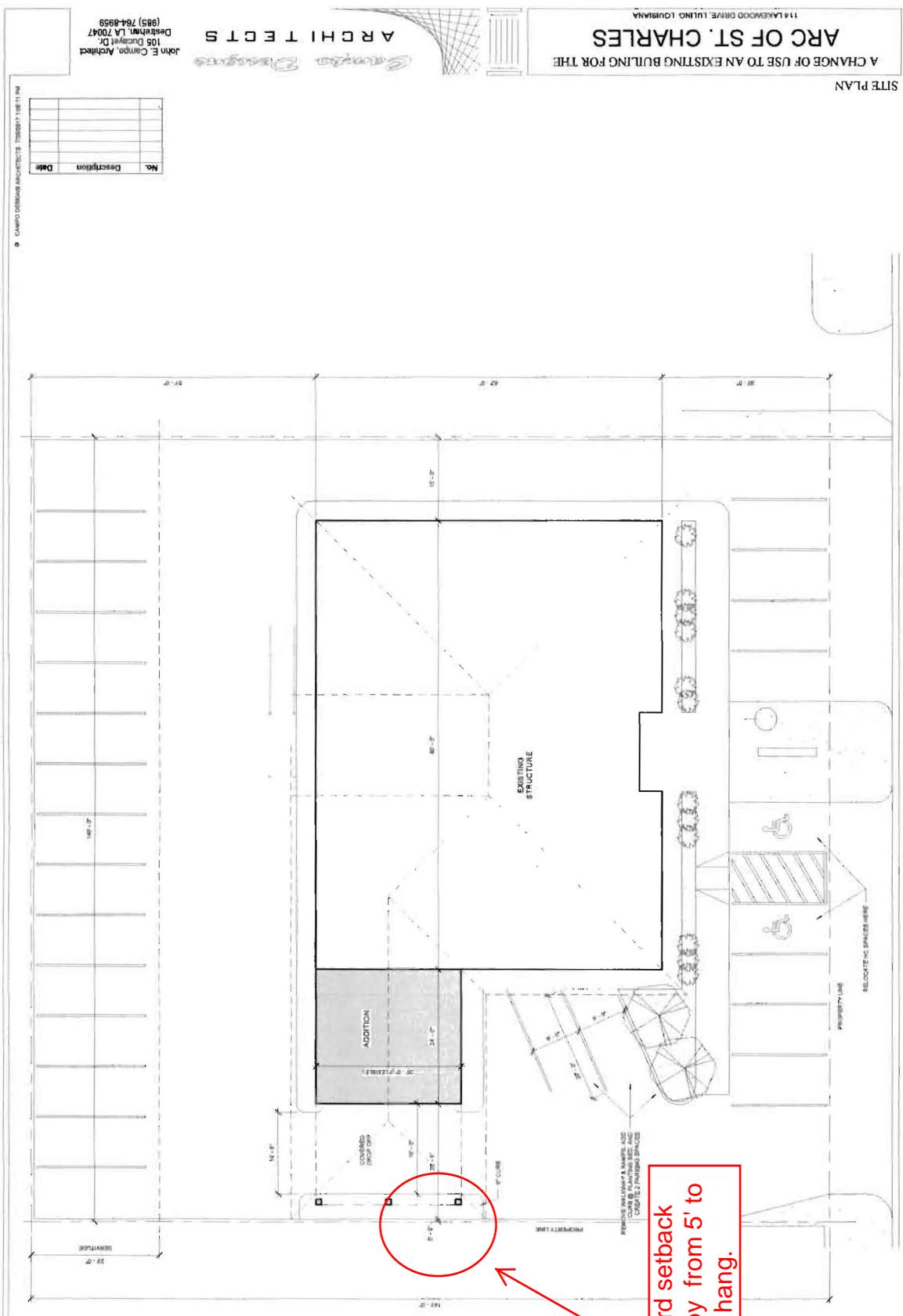
  
(Signature of owner)

Subscribed and sworn to before me this 24<sup>th</sup> day of October, 2017  
in my office at Luling, Louisiana.



  
(Signature of Notary Public)

(Seal)



Proposed side yard setback for covered canopy from 5' to 0.5' from the over hang.

**ARC OF ST. CHARLES**  
 A CHANGE OF USE TO AN EXISTING BUILDING FOR THE  
 114 LAKEWOOD DRIVE, LULING, LOUISIANA

**Campo Designs ARCHITECTS**  
 John E. Campo, Architect  
 106 Duvernet Dr.  
 Drexelham, LA 70047  
 (985) 784-8958

REVISIONS

No.	Description	Date

**A102**

RED INK  
 CD #  
 DATE 7/25/17  
 DRAWN BY CG

**LAKWOOD DRIVE**

2 SITE REVISION PLAN  
 1/8" = 1'-0"



**Cajun Village Thrift Store  
114 Lakewood Drive  
Luling, Louisiana  
ARC of St. Charles**

**CD 2512**

**Attached document**

**ZBA Application**      October 23, 2017

Prepared by

**CAMPO DESIGNS – ARCHITECTS  
105 Ducayet Drive  
Destrehan, Louisiana 70047**

To: Victoria Bryant, Exec. Director

1. The existing site, purchased from a previous business, has concrete parking around the entire building. This allows safe exiting onto Lakewood Drive without backing up into traffic.
2. The existing paved parking on the left side of the building is fixed. Adding the requested covered drop-off canopy adds tremendous benefit for drop-off of donated goods, vital to the operation of this store.
3. The hardship was a pre-existing condition from the previous owner.
4. Granting of this variance will simply allow the construction of an open canopy so donation drop-offs can continue during inclement weather. This side yard condition abuts another open business parking lot.
5. The existing neighborhood is all business occupancies. This canopy would blend right in with those businesses.
6. The hardship is during inclement weather, donations, essential to this charitable business go down. Patrons simply do not drop off donations during rainy periods.
7. The need for this location of our charitable business is a storage/set up space for incoming donations. The requested canopy 3' into the side yard setback simply keeps the operations running during any type of weather.
8. Granting a 3' waiver of the required 5' side yard setback would add value to this business area and will not be detrimental in any way to this business area.

The ARC of St. Charles relocated the Cajun Village Thrift Store to this location after a lease dispute. The new location, located at 114 Lakewood Drive, suited our needs except for a storage/staging area for donations. Drop off of donations are vital to our charitable business. Adding a covered canopy to the existing concrete driveway will allow uninterrupted operations in any weather conditions.

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2017-29**

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:**  
John Campo/Arc of St. Charles  
105 Ducayet Dr.  
Destrehan, La. 70047
- ◆ **Location of Site:**  
114 Lakewood Drive, Luling La.
- ◆ **Requested Action:**  
1. Waiver of side yard setback from 5' to 0.5' on west side of property
- ◆ **Purpose of Requested Action:**  
Construct an attached 16' x 26' covered drop off

### SPECIFIC SITE INFORMATION

- ◆ **Size of Parcel:**  
20,020 sq. ft. (143'x140')
- ◆ **Existing Land Use:**  
Commercial
- ◆ **Existing Zoning:**  
C-2
- ◆ **Surrounding Land Uses and Zoning:**  
Commercial and multi-family
- ◆ **Utilities:**  
Standard utilities service the site.
- ◆ **Floodplain Information:**  
X zone

### APPLICABLE CODE REGULATION

- Appendix A Section VI. C. [III] 2.  
2. Spatial Requirements:  
b. Minimum yard sizes:  
(1) Front - twenty (20) feet  
(2) **Side - five (5) feet**  
(3) Rear - ten (10) feet

### SUMMARY

1. On October 24, 2017 a requested to expand the existing Arc of St.Charles building at 114 Lakewood Drive, Luling, zoning district C-2.
2. The addition proposes a covered drop-off canopy. The edge of the canopy overhang which will be approximately 0.05' from the side property line; 5' is required .

### Departmental Finding of Fact Based Upon Application for Variance

1. Applicant states a unique condition of the property is the concrete parking area which exist around the entire building.
2. Applicant states enforcement of the Ordinances would deprive the applicant of benefit of having a covered area to receive donation even in inclement weather conditions.

3. The hardship is self-created by the desire to enlarge the existing business which was recently purchased (December 2016).
4. Other business establishments in the area have been granted variances from setback requirements.
5. Applicant states granting of the variance will not alter the character of the neighborhood but would blend in.
6. Applicant states a hardship is created because donations go down during inclement weather.
7. No alternative plans were presented.
8. Applicant states granting the variance will add value to the surrounding area.

