

**ST. CHARLES PARISH
ZONING BOARD OF ADJUSTMENT
MARCH 15, 2018
7:00 P.M.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

PUBLIC HEARINGS:

- 1 ZBA-2018-05**
Requested by: Ashandre Scott to reduce the required Base Flood Elevation from DFIRM AE+5 ft. NAVD to +2.90 ft. NAVD for additions and renovations at 240 Wenger Rd., Des Allemands. Zoning District R-1A. Council District 4.
- 14 ZBA-2018-06**
Requested by: Kristi Brocato to place an off-premise sign at 12337 Hwy. 90, Luling. Zoning District C-2. Council District 7.
- 21 ZBA-2018-07**
Requested by: Esperanza Land, LLC to waive the hard surface parking and landscaping requirements at 18 Dufresne Loop, Luling. Zoning District M-1. Council District 1

**OLD BUSINESS -
NEW BUSINESS -
MINUTES – February 15, 2018
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

February 14, 2018

Ashandre Scott
240 Wenger Road
Des Allemands, La 70030

Dear Mrs. Scott,

This letter is to inform you the request to construct a house at 240 Wenger Road, 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 addition will be at +2.90' 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 #: 2018-05 Property Identification #: _____ Date submitted: 2/19/18

Receipt #: 002974 Flood Zone: X Zoning District: R-1A

DFirm + 5

Applicant name Ashandre Scott Phone # (504) 417-0525

Mailing Address 240 Wenger Rd. Email Address sailorrv@aol.com

Owner(s) Name Same Phone # _____

Mailing Address _____ Email Address _____

Municipal Address of Request 240 Wenger Rd

Subdivision Name: Weger Subdivision

Square # 2 Lot # 14 Property sq. ft. 16740

Describe the variance being applied for: Very flood elevation from +5 NWD to +2.90 for an addition to an existing home

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.

- 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?

The current structure is over 50 years old.

- 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, a significant elevation increase (4.5 feet higher than the existing structure) on the addition would be impractical. Also elevating the existing structure to match the new elevation of the additions would be extremely unfeasible.

- 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, I did not. (See attachments)

- 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, it will not. (See attachments)

- 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 attachments)

- 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 attachments)

- 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 attachments)

- 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?

(see attachments)

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 attachments)

OWNER'S ENDORSEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

Ashandre' Scott 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.

Ashandre' Scott

(Signature of owner)

Subscribed and sworn to before me this 14 day of February, 2018
in my office at Hahnville, Louisiana.

ANDREW A. LEMMON
ATTORNEY/NOTARY PUBLIC
PAR # 18302/ NOTARY ID # 3947
ST. CHARLES PARISH/ PARISH OF ORLEANS
STATE OF LOUISIANA (Seal)
MY COMMISSION IS FOR LIFE

[Signature]
(Signature of Notary Public)

1. The unique condition that exists on this property or structure which does not exist on other property or structures in the zoning district is that the current existing structure was built over 60 years ago and is still structurally sound enough to handle the proposed additions and updates.
2. The enforcement of the ordinance does deprive me of rights exercised by other properties in the zoning district because it would not allow me the same utilization of my property as others in the area.
3. I did not cause the hardship of my property or structure.
4. Granting this ordinance will not allow me a special privilege or benefit which the Ordinance denied to other lands or structures in the zoning district.
5. This variance will not alter the character of the neighborhood in that it will allow a uniform structure more similar to most pre-existing structures in the neighborhood.
6. Meeting the regulation creates a hardship rather than an inconvenience because meeting the regulation would be so unfeasible that selling and relocating the family would be the only alternatives.
7. There are no alternative locations or construction plans which may be less convenient but meet the regulations.
8. The requested variance could not endanger, inconvenience, or cause any nuisance for neighboring properties.

The unique condition that exists on this property or structure which does not exist on other property or structures in the zoning district is that the current existing structure was built over 60 years ago and is still structurally sound enough to handle the proposed additions and updates. The enforcement of the ordinance does deprive me of right enjoyed by other properties in the zoning district because it would not allow me the same utilization of my property as others in the area. I did not cause the hardship of my property or structure. Granting this ordinance will not allow me a special privilege or benefit which the Ordinance denied to other lands or structures in the zoning district. This variance will not alter the character of the neighborhood in that it will allow a uniform structure more similar to most pre-existing structures in the neighborhood. Meeting the regulation creates a hardship rather than an inconvenience in that meeting the regulation would be so unfeasible that selling and relocating the family would be the only alternatives. There are no alternative locations or construction plans which may be less convenient but meet the regulations. The requested variance could not endanger, inconvenience, or cause any nuisance for neighboring properties.

C. Scott

LUCIEN C. GASSEN

SURVEYING SERVICES
1026 GASSEN STREET
LULING, LA 70070

January 31, 2018

GRADE CERTIFICATE

Com. No: 220160 Panel No: 0175 Suffix: C Date: 06/16/92

Lot Number: 14 Square: 2

Subdivision: Wenger Subdivision Extended

Municipal No.: 240 Wenger Road

Firm Zone: X Base Flood Elevation: NA
DFIRM ZONE: AE DFIRM Advisory Base Flood Elevation: 5.00 NGVD
(CONSTRUCTION REQUIREMENT)

Lowest Floor Elevation: 2.90 NAVD

Existing Street Elevation: 1.40 NAVD

Adjacent Ground Elevation: 0.8 NAVD




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

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



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: 16740
 - C. Existing average grade at center of property and existing grades of all corners: 0.8
 - D. Existing center line street grades: 1.40
 - 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.

3. Alternative methods that have been explored so that the proposed structure may meet the base flood elevation include raising the elevation of the existing structure to match the additions. However, it could take 12-24 months for the application to be approved after being submitted.
4. Currently, the existing structure will not be able to accommodate the family of 4 taking residence there. If the variance is not granted, the family will have to attempt to sell and relocate.
5. If this variance is not granted, it will set a precedent that will hinder other owners of pre-existing structures in the area from exercising their fullest rights as property owners.

A. Heath

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 Ashandri Scott, (hereinafter "appearers"), after being duly sworn, acknowledged that they are the owners of the property located at 240 Wenger Rd, and that said property was acquired by instrument registered in the official records of St. Charles Parish at COB 813 FOLIO 537. 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 +2.90 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 14 day of Feb., 2018.

WITNESSES: [Signature]
Elizabeth L. Carnon

APPEARERS:
Ashandri Scott

PRINT NAME: Jason L. Lemfest

PRINT NAME: Elizabeth Carnon

[Signature]

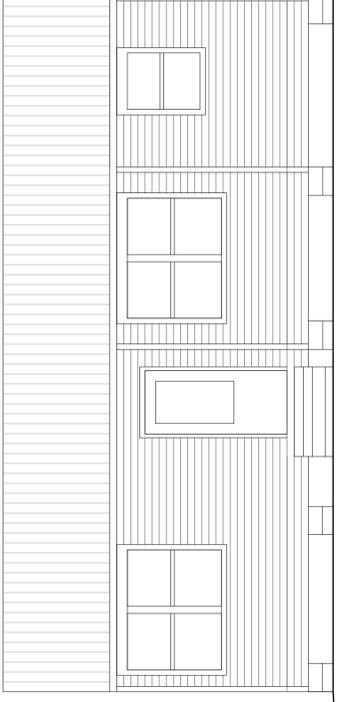
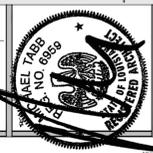
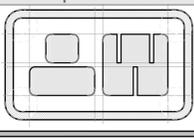
NOTARY PUBLIC

PRINT NAME: Andrew Lemmon

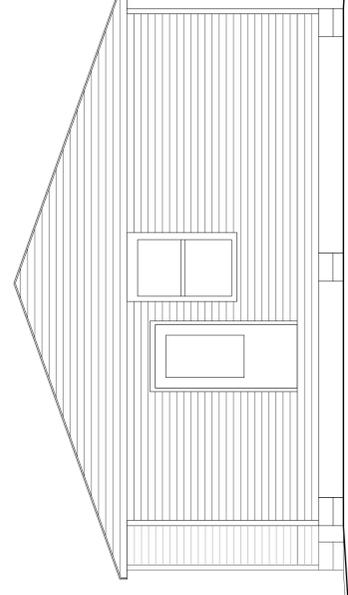
BAR NO. 18302

SEAL REQUIRED

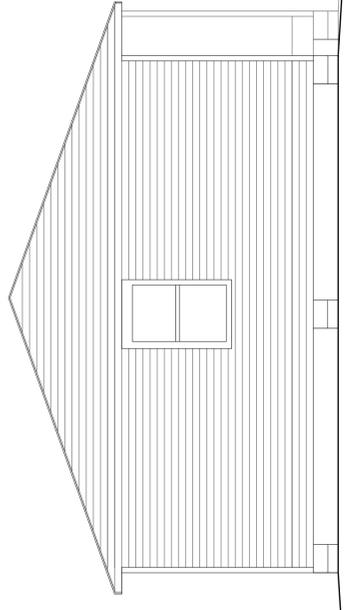
ANDREW A. LEMMON
ATTORNEY/NOTARY PUBLIC
BAR # 18302/ NOTARY ID # 47
ST. CHARLES PARISH/ PARISH OF ST. CHARLES
STATE OF LOUISIANA
MY COMMISSION IS FOR LIFE



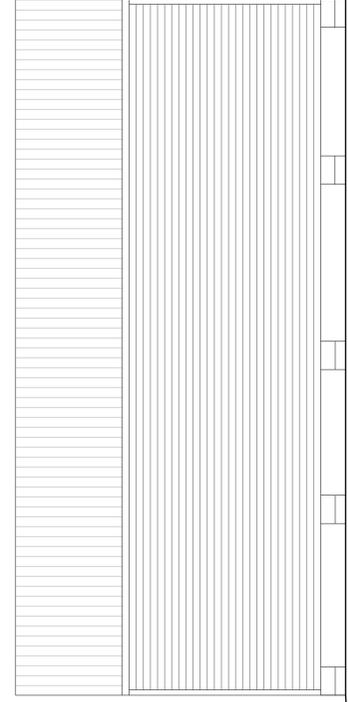
FRONT



RIGHT SIDE



LEFT SIDE



REAR

Existing house

M EXISTING ELEVATIONS
SCALE: 1/4"=1'-0"

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: ZBA-2018-05

GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Ashandre Scott
240 Wenger Road
Des Allemands, La

◆ **Location of Site:**

240 Wenger Road, Des Allemands

◆ **Requested Action:**

To reduce the DFRIM (digital flood rate insurance maps) from AE +6 ft. to 2.90 ft. NAVD

◆ **Purpose of Requested Action:**

Construct an 1120 sq. addition to an existing 918 sq. ft. house

SPECIFIC SITE INFORMATION

◆ **Size of Parcel:**

16,740 sq. ft.

◆ **Existing Zoning:**

R-1A

◆ **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, B. 44 and E. b. 1.

B. Definitions

44. Substantial Improvement—Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement.

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 February 14, 2018 a request to construct an 1120 sq. ft. addition to a single family residence at 240 Wenger Road, Des Allemands, LA zoning district R-1A, DFRIM AE+5 was denied for improper flood elevation.
2. The proposed addition is defined as a substantial improvement which exceeds 50% market value of the existing home; therefore it must meet the current DFIRM.
3. The applicant is requesting to construct the addition at the same height elevation of the existing house which is 2.90' instead of 5' NAVD
4. The applicant has signed and notarized the addendum to the variance application for base flood requirements.

FINDINGS (based on applicant's written statements)

1. The applicant states the age of the house is a unique condition on this property.
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 because without the variance she would have to relocate her family
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 #: 2018-06 Property Identification #: _____ Date submitted: 2/15/18
 Receipt #: 002975 Flood Zone: _____ Zoning District: C-2

Applicant name Kristi Brocato Phone # 504-756-6425
 Mailing Address 113 Kaylee Dr. Hahnville, La. 70057 Email Address Nick@thebasketry.com
 Owner(s) Name BASK Enterprises, LLC Phone # 504-756-6425
 Mailing Address 113 Kaylee Dr. Hahnville, La. 70057 Email Address Nick@thebasketry.com
 Municipal Address of Request 1233? Hwy. 90 Hahnville, La. 70070
 Subdivision Name: _____
 Square # _____ Lot # NOV-19A Property sq. ft. 23578.43
 Describe the variance being applied for: to put a sign on the property advertising
The Basketry & a future business TBA
 Code Section being appealed: App A, Sec XXI, E-9

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?
The Basketry initially could not purchase lot NOV-19A b/c DOTD owned it - DOTD changed I-49's route, & we had to purchase this lot from DOTD after The Basketry was constructed.
- 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, most businesses on Hwy 90 have signs along the highway by the road. we would like to do the same
- 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.
It's just a sign advertising the business.
- 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.
currently, there is no room to put a sign on the Basketry foot print.

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 room to put a sign on The Basketay's current foot print.

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?

Not at all

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)

Bask enterprise owns both properties. It has future plans of developing the front lot. The sign will eventually advertise both properties.

OWNER'S ENDORSEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

Kristi Brocato 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.

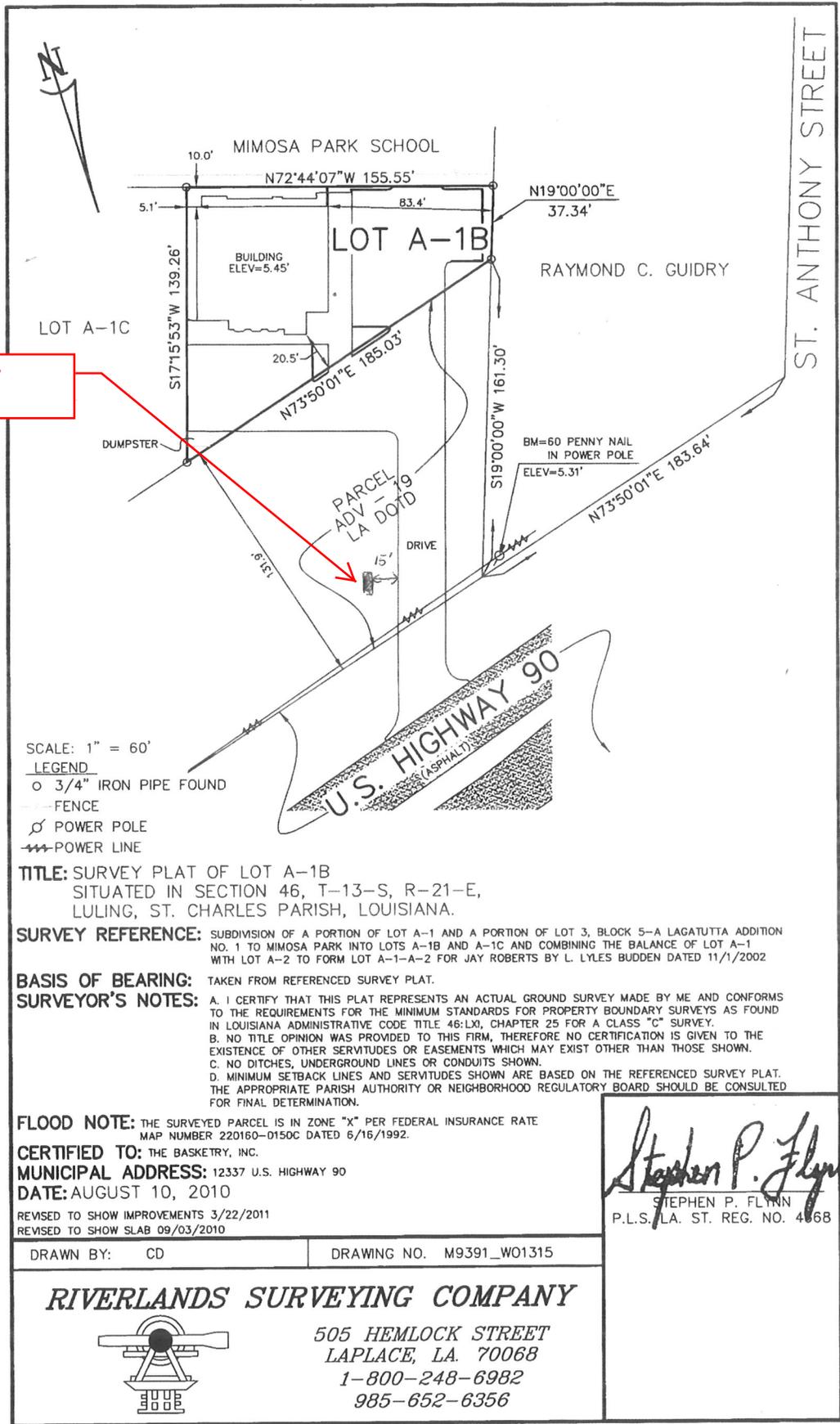
Kristi Brocato
(Signature of owner)

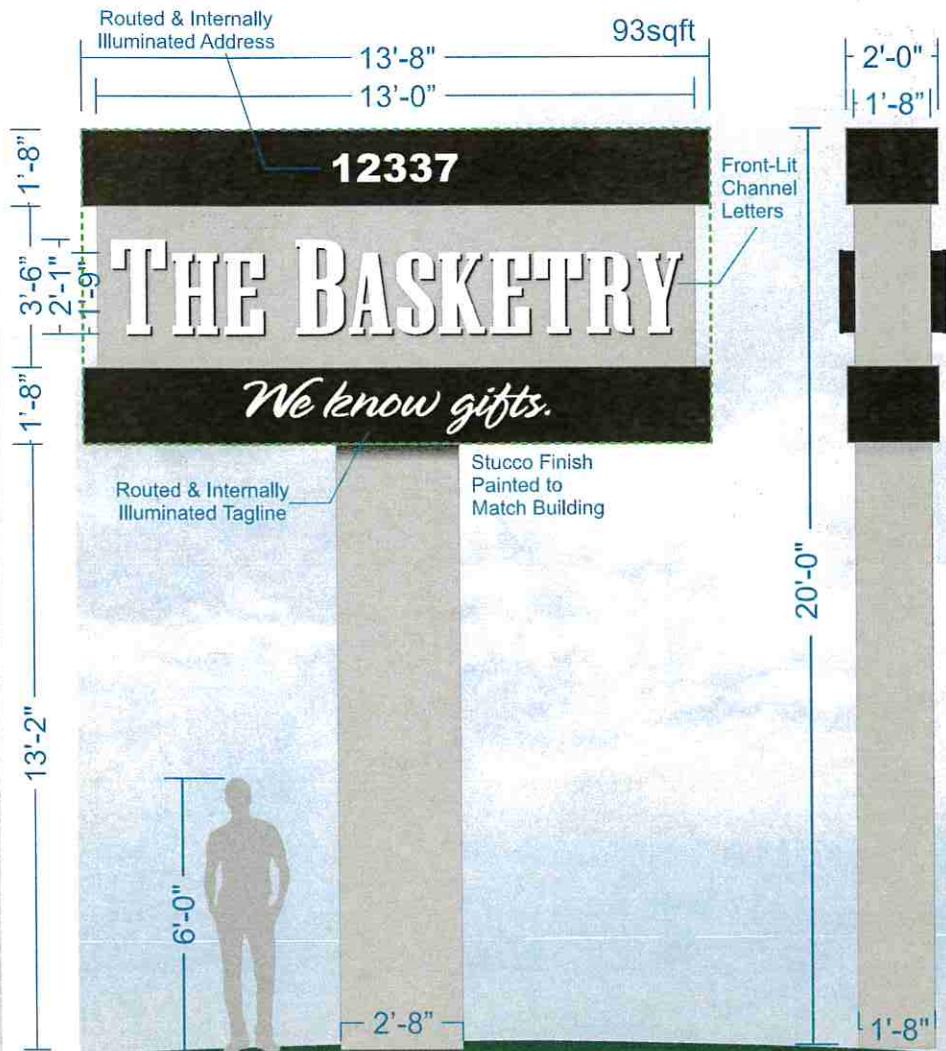
Subscribed and sworn to before me this 15th day of February, 2018
in my office at Boutte, Louisiana.

Rachelle M. Tregle
(Signature of Notary Public)

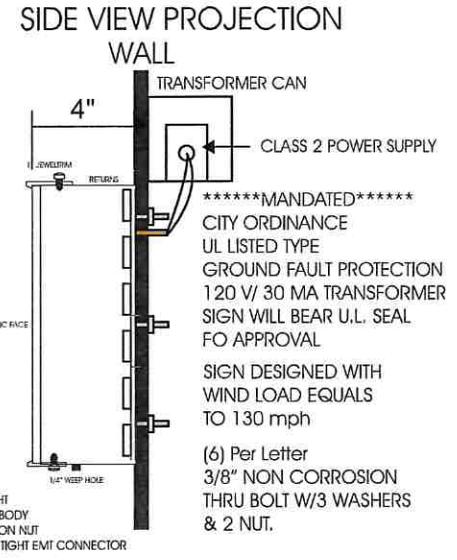
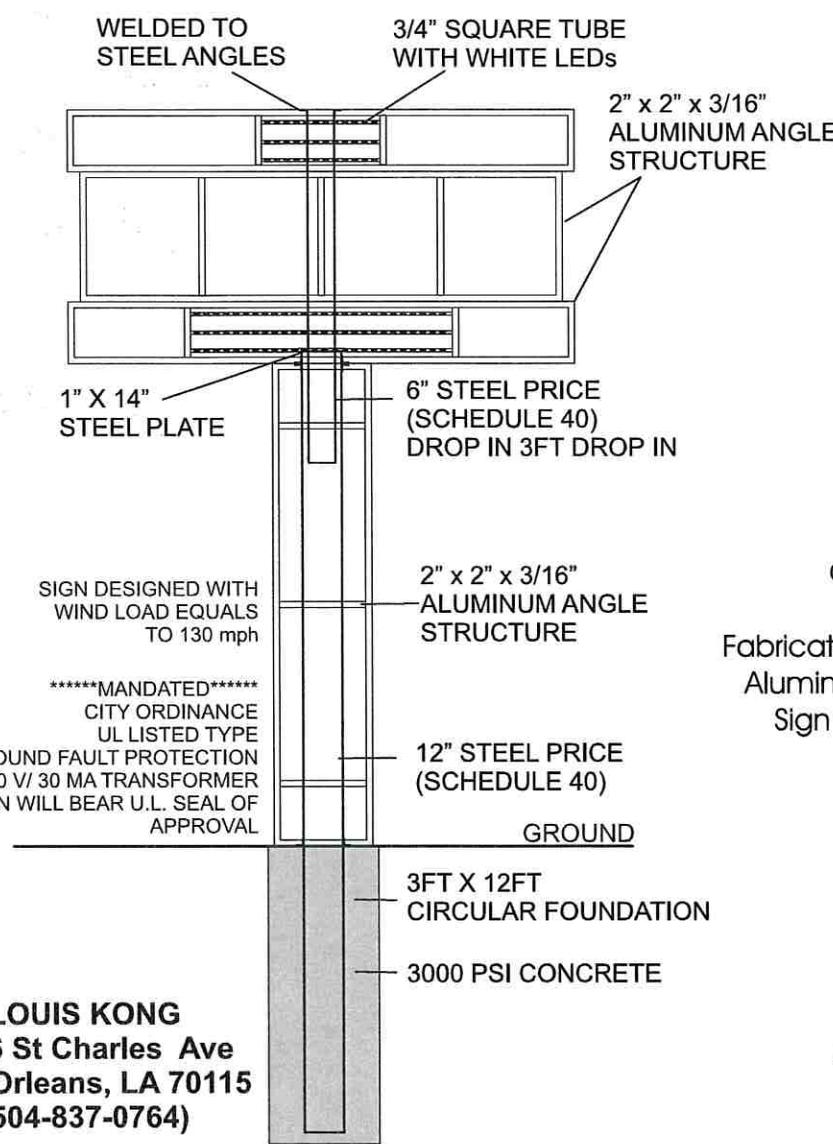
(Seal)







LOUIS KONG
 5726 St Charles Ave
 New Orleans, LA 70115
 (504-837-0764)



Manufacture & Install (1) Double Sided Customer Pole Sign With Channel Letters & Decorative Stucco Finish. Fabricated Aluminum Pole Sign With 2" x 2" x 3/16" Aluminum Angle Structure & .063 Aluminum Skin. Sign to Have Trico-Plex Stucco Finish Painted to Match Building Colors. New Pipes & Foundation Included

Channel Letters: 3/16" White Faces With 1" Duronodic Broze Trimcap, 4" Duronodic Bronze Returns .050 Mill Finish Backs & White LEDs.

Address Numbers & Tagline Will Be Routed & Backed With 3/16" White Acrylic. Will Be Internally Illuminated With White LEDs



1310 Carroll St.
 Kenner, La. 70062
 Office: 504-353-1654
 Toll free: 1-833-896-2724
 Fax: 504-467-5206

Job Name:	The Basketry	Designer:	Monica M Tyrmon	Sketch #:	17-1131-P2R3
Location:	12337 US-90	Salesman:	Bruce Gwyn	Scale:	1/4" = 1'-0"
	Luling, LA 70070	Contact Person:		Contact Number:	

THESE PLANS AND SPECIFICATIONS HAVE BEEN PREPARED BY ME OR UNDER MY SUPERVISION, TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY CONFORM TO ALL CITY REQUIREMENTS. I AM NOT GENERALLY ADMINISTERING THE WORK. ALL ELECTRIC SIGNS UL LISTED WINDLOAD OF 130 MPH. THIS DRAWING IS THE PROPERTY OF ALLIED BRANDING SOLUTIONS AND CANNOT BE DUPLICATED WITHOUT PERMISSION.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: ZBA-2018-06

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:**
Kristi Brocato
113 Kaylee Drive
Hahnville, La. 70057
- ◆ **Location of Site:**
12337 Highway 90, Luling
- ◆ **Requested Action:**
Place an off-premises sign along Highway 90
- ◆ **Purpose of Requested Action:**
Avoid re-subdividing two adjacent properties into a single property

SPECIFIC SITE INFORMATION

- ◆ **Size of Parcel:**
23,678 sq. ft.
- ◆ **Existing Land Use:**
Vacant
- ◆ **Existing Zoning:**
C-2
- ◆ **Surrounding Land Uses and Zoning:**
Commercial
- ◆ **Utilities:**
Standard utilities service the site.
- ◆ **Floodplain Information:**
DFIRM AE +5

APPLICABLE CODE REGULATION

Appendix A Section XXI. E. Prohibited Signs

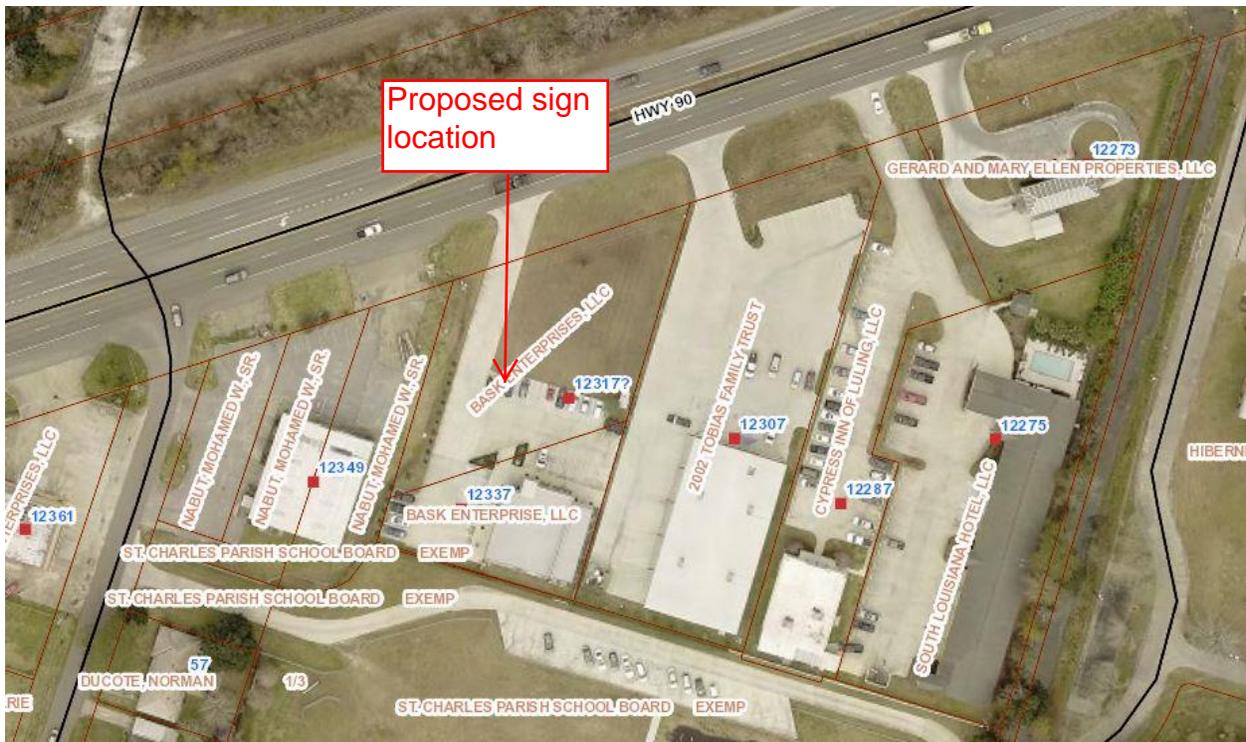
9. No general advertising sign shall be erected within visual observation of the main traveled way of US Highway 90, US Highway 61, LA Highway 18, LA Highway 3127, I-310, LA Highway 631 (Old Spanish Trail), LA Highway 628, I-10, LA Highway 626 (St. Rose Avenue), LA Highway 48, and LA Highway 50. (Ord. No. 06-1-25, § I, 1-23-06)

SUMMARY

1. On February 15, 2018 a request to permit an off-premise sign at 12337 Highway 90, Luling, zoning district C-2 was denied.
2. The applicant currently owns two lots at 12337 Highway 90.
3. The applicant's store, The Basketry, is located on one lot A-1B the other lot is ADV-19-A.
4. The Basketry wants to place an advertising sign on lot ADV-19-A.
5. ADV-19-A is currently a vacant lot located between the store and Highway 90.
6. This is considered an off-premise sign and does not comply with Ordinance 06-1-25 which prohibits new Off-premise signs along Highway 90.
7. The Planning Department advised the applicant to re-subdivide the property into one lot, therefore the sign would become an on-premise sign which could be immediately issued a permit.

Departmental Finding of Fact Based Upon Application for Variance

1. Applicant states when the Basketry was constructed in 2011 DOTD owned lot ADV-19A. The Basketry purchased the lot from DOTD in 2013.
2. The applicant stated most business have signs along Highway 90, but did not consider the signs are on-premise signs.
3. The applicant states they did not cause the hardship, however they do not want to subdivide the property into one lot which would allow the sign.
4. No variances for off-premise signs have been granted on Hwy. 90..
5. Applicant says the sign will not alter the character of the area.
6. The applicant says there is no room for a sign on the property.
7. No alternatives were presented
8. Applicant says there will be no negative effect.





Parish of St. Charles
 Department of Planning and Zoning
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 (985) 783-5060 • Fax (985) 783-6447

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

App rev. 09/15

ZBA Case #: 2018-06 Property Identification #: _____ Date submitted: 2/21/18
 Receipt #: 2976 Flood Zone: _____ Zoning District: M-1

Applicant name Western International Gas & Cylinders, INC Phone # 979-413-2121
 Mailing Address PO Box 668 Bellville, TX 77418 Email Address jasonlischka@westernintl.com
 Owner(s) Name Esperanza Land LLC Debra Dufresne Phone # 985-785-6218
 Mailing Address 14035 River Road Luling, LA 70078 Email Address debbie@514Enterprises.com
 Municipal Address of Request 18 Dufresne Loop, Luling, LA 70070
 Subdivision Name: Dufresne Business Park
 Square # _____ Lot # Lot 18 Property sq. ft. 53,392
 Describe the variance being applied for: Western Interantional would like to use Lot 18 as a parking lot without having to pave or concrete the lot. The lot is currently covered with gravel
 Code Section being appealed: Section VIII A-2 and any other applicable code sections

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?**
Property is gravel and was previously used as a parking lot and lay down yard.

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?**
It is cost prohibitive to comply with complete paving for the small number of vehicals and short term use.

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.**
There are similarly unpaved lots in the business park. Our use is inline with the character.

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.** _____
It creates a finacail harship and limits futre use of property of owner after Western's short term lease.

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.

Other properties were not available in the area.

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)

The intended use for this property is to allow less than 10 employees to park their personal vehicles

and take a power unit to our facility located on Hwy 3142 (Praxair facility).

There are no other operations intended at this property.

there is insufficient space at the Praxair facility for personal vehicles.

OWNER'S ENDORSEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

Debra Dufresne Vial 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.

Debra Dufresne Vial

(Signature of owner)

Subscribed and sworn to before me this 21st day of February, 2018
in my office at Luling, Louisiana.

Louis O. Authement

(Signature of Notary Public)

Louis O. Authement
No. 25814

(Seal)

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: ZBA-2018-07

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:**
Esperanza Land LLC
14035 River Road
Luling, La., 70070
- ◆ **Location of Site:**
18 Dufrense Loop, Luling, La.
- ◆ **Requested Action:**
Waiver of the hard surface parking and landscaping requirements.
- ◆ **Purpose of Requested Action:**
Parking for employees to switch from their personal vehicles to work trucks.

SPECIFIC SITE INFORMATION

- ◆ **Size of Parcel:**
53,392 sq. ft.
- ◆ **Existing Zoning:**
M-1 light industrial
- ◆ **Surrounding Zoning and Land Uses:**
Light Industrial
- ◆ **Floodplain Information:**
X zone

APPLICABLE CODE REGULATION

Appendix A. Section VIII. A.2., B, D.

2. Any area where off-street parking is provided (including additional parking areas that are not required by this ordinance) must be surfaced with permanent dust-free paving

B. Parking lot standards:

1. Off-street vehicle parking spaces shall be provided on the same lot upon which a principal use is permitted

D. Landscaping requirements: The purpose of these provisions is to prescribe standards for landscaping and screening within St. Charles Parish.

SUMMARY

1. On February 21, 2018 a request to waive the required hard surface parking and landscaping requirements at 18 Dufrense Loop, zoning district M-1 was denied.
2. The property contains a gravel parking area which was set-up temporarily while DOTD was working on the Hale Boggs Bridge.
3. The applicant would like to lease the property short term for a company to use as a staging area to park trucks. Employees will drive their personal vehicles to the lot then transfer to company trucks. The company trucks will be parked overnight on the property.

FINDINGS (based on applicant's written statements)

1. The property is graveled from a previous temporary use
2. Applicant says its cost prohibitive to pave and landscape the parking area.
3. The applicant's hardship is financial.
4. Other businesses in the area utilize non-conforming gravel parking.

5. Granting of the variance will not significantly alter the character of the surrounding properties
6. Applicant states it is a financial hardship to pave the parking because it limits future uses.
7. The applicant stated no alternative locations were available.
8. Granting the variance will not cause a negative impact to the surrounding properties.

