

**ST. CHARLES PARISH  
ZONING BOARD OF ADJUSTMENT  
OCTOBER 18, 2018  
7:00 P.M.**

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE**

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**PUBLIC HEARINGS:**

**ZBA-2018-37**

Requested by: Stacey & Derek Dufrene to vary the St. Charles Parish Code of Ordinances, Appendix A, Sec. XX.C.2 to reduce the required base flood elevation from DFIRM AE+6 ft. to 0 for a single family home at 141 Pine St., Des Allemands. Zoning District R-1A. Council District 4.

**ZBA-2018-38**

Requested by: Lee's Professional Properties, LLC to vary the St. Charles Parish Code of Ordinances, Appendix A, Sec. VI.B.[VIII].2.a to reduce the required square footage per family from 2500 sq. ft. to 2040 sq. ft. and to reduce the driveway width from 12 ft. to 10 ft. for construction of apartments at 53 and 55 Carriage Lane, Destrehan. Zoning District R-3. Council District 3.

**ZBA-2018-39**

Requested by: Karen Chiasson to vary the St. Charles Parish Code of Ordinances, Appendix A, Section XX.C.2 to reduce the required base flood elevation from DFIRM AE+6 ft. to +1.25 NAVD at for placement of a mobile home 305 2<sup>nd</sup> St., Des Allemands. Zoning District R-1A(M). Council District 4.

**ZBA-2018-40**

Requested by: Michael Walters to vary the St. Charles Parish Code of Ordinances Appendix A, Sec. VI.B.[1].2.b.2 to reduce the required side property line from 3 ft. to 1 ft. for a detached carport at 616 Aquarius St., Hahnville. Zoning District R-1A. Council District 1.

**OLD BUSINESS -  
NEW BUSINESS -  
MINUTES – September 20, 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](http://www.stcharlesparish-la.gov)

LARRY COCHRAN  
PARISH PRESIDENT

MICHAEL J. ALBERT, AICP  
PLANNING DIRECTOR

September 13, 2018

Stacey and Derek Dufrene  
114 Bayou Estates Drive  
Des Allemands, La 70030

Dear Mrs. and Mr. Dufrene

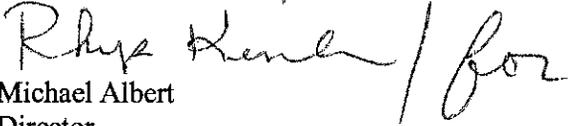
This letter is to inform you the request to construct a house at 141 Pine Street, Des Allemands, La., zoning district R-1A has been rejected. This permit cannot be issued for the following reasons according to the St. Charles Code of Ordinances XX C.2 as amended by Ord. 13-7-7:

1. The submitted site plan and grade certificate indicates that the proposed house will be at 0.0' 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. 08/15

ZBA Case #: 2014-37 Property Identification #: 402400300003 Date submitted: 9/13/18  
 Receipt #: 3116 Flood Zone: +6 Zoning District: R-1A  
CA # 2054

Applicant name Stacey & Derek Dufrene Phone # 504 491-9044  
 Mailing Address 114 Bayou Estates Dr, Des Allemands Email Address sdupont22@yahoo.com  
 Owner(s) Name Stacey & Derek Dufrene Phone # \_\_\_\_\_  
 Mailing Address 114 Bayou Estates Dr, Des Allemands Email Address \_\_\_\_\_  
 Municipal Address of Request 141 Pine St., Des Allemands  
 Subdivision Name: Pine Gardens Subdivision  
 Square # \_\_\_\_\_ Lot # Blk 3, Lot 3 Property sq. ft. 13,500

Describe the variance being applied for: DFIRM advisory BFE is 6 ft NGVD. Street elevation is -4.04 NAVD. This request is to build to an elevation of 0.0 NAVD (2' above ground, 4' abv street)

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?  
none
  
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?  
Yes, other new homes (and exiting homes) are not being built to the ordinance elevation requirements
  
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?  
Other properties have been granted a variance and are allowed to build at a lower elevation
  
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.  
Existing homes are at near ground elevations. Most of the homes would be at similar elevations to our planned elevation.
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.  
Having to build up to 6.0 elev with an unfinished first floor and climbing stairs would be a burden to our children and elderly parents with ailments. It also increases the risk of harm to the elderly, our children and pets from any potential falls.

- 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.

All new homes in the area have the same raised elevation requirement so it would force us to build a sacrificial first floor or to sell the property and move to another area away from our family/friends.
- 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?

Nuisances are improbable since the majority of the neighbourhood are not raised homes.

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)

Our request would provide a home that:

1. Is at a similar elevation to existing adjacent home elevations
2. Allows for proper drainage offsite, minimizing impacts to neighbors
3. Would eliminate the hardship placed upon our property that other new homes are not being forced to comply with.
4. Reduces the risks of climbing stairs to the elderly, children and pets.
5. The home is elevated 4' above the street, reducing the flood risk.

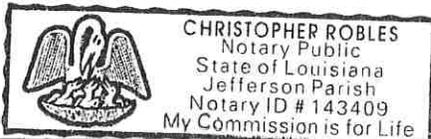
**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Stacey 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 13<sup>th</sup> day of September, 202018  
in my office at Destrehan, Louisiana.



  
(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 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: -2.3 NGVD
  - D. Existing center line street grades: -4.0 NGVD
  - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: 200' to 145 Pine, at elev -0.35 NGVD
  - F. Any other physical features which may affect the granting of denial of the application (i.e. drainage canals, levees, etc.): Drainage ditches at the front and rear of property
  - 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 Stacey Dufrene, (hereinafter "appearers"), after being duly sworn, acknowledged that they are the owners of the property located at 141 Pine St, Des Allemands, and that said property was acquired by instrument registered in the official records of St. Charles Parish at COB 867 FOLIO 188. 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  $\frac{6.0}{\text{NGVD}}$ ; however the building(s) elevation will be  $\frac{0.0}{\text{NAVD}}$  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 13<sup>th</sup> day of September, 2018.

**WITNESSES:**

[Signature]

**PRINT NAME:** ALLEN DUPONT

[Signature]

**PRINT NAME:** MITZI ANTHONY

**APPEARERS:**

[Signature: Stacey Dufrene]

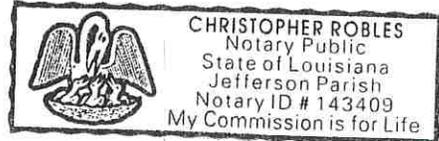
[Signature]

**NOTARY PUBLIC**

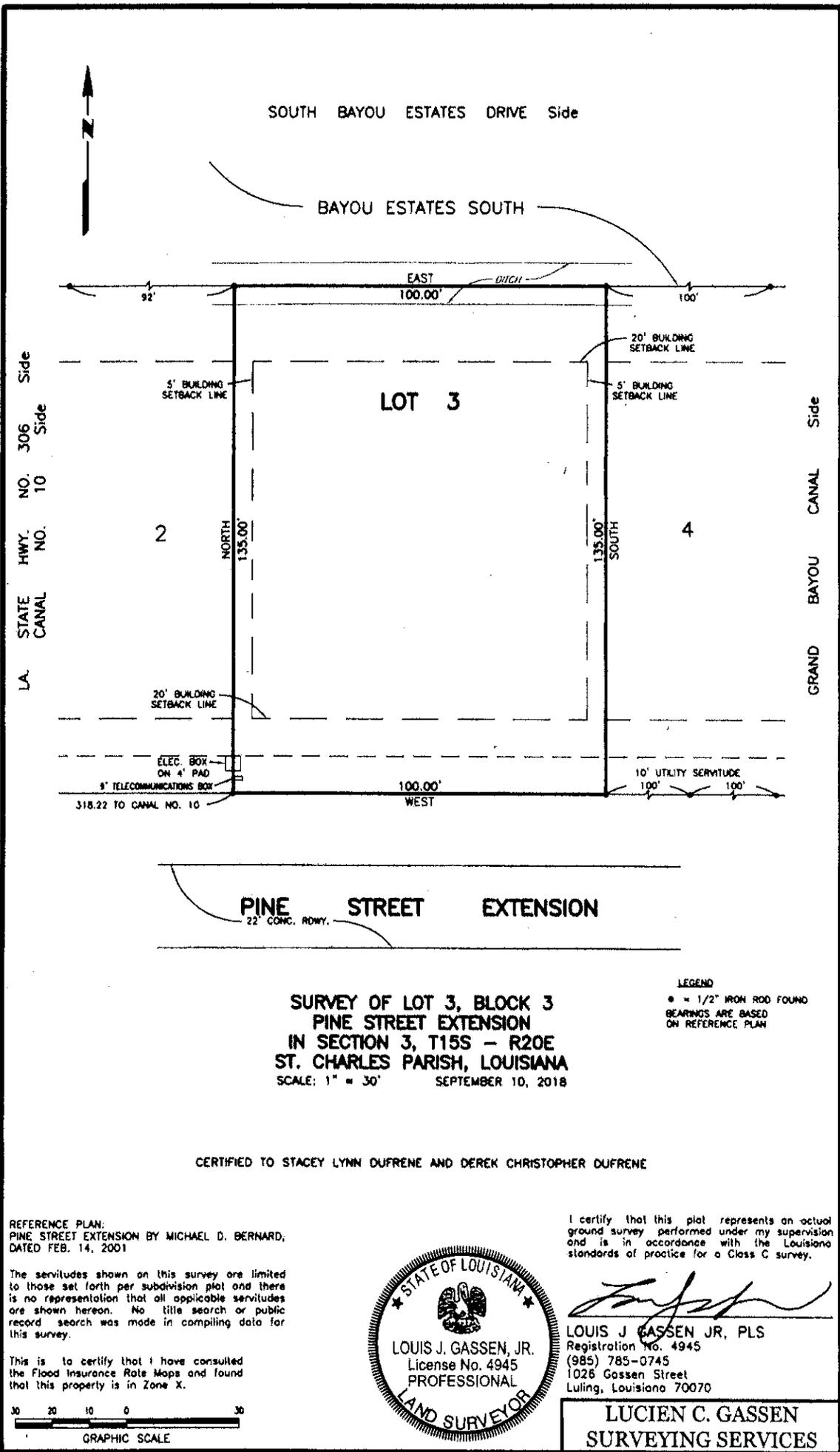
**PRINT NAME:** Christopher Robles

**BAR NO.** 143409

**SEAL REQUIRED**







SOUTH BAYOU ESTATES DRIVE Side

BAYOU ESTATES SOUTH

LA. STATE CANAL  
 HWY. NO. 10  
 NO. 306  
 Side

Side  
 CANAL  
 BAYOU  
 GRAND

PINE STREET EXTENSION  
 22' CONC. RDWY.

**SURVEY OF LOT 3, BLOCK 3  
 PINE STREET EXTENSION  
 IN SECTION 3, T15S - R20E  
 ST. CHARLES PARISH, LOUISIANA**  
 SCALE: 1" = 30'      SEPTEMBER 10, 2018

**LEGEND**  
 • = 1/2" IRON ROD FOUND  
 BEARINGS ARE BASED  
 ON REFERENCE PLAN

CERTIFIED TO STACEY LYNN DUFRENE AND DEREK CHRISTOPHER DUFRENE

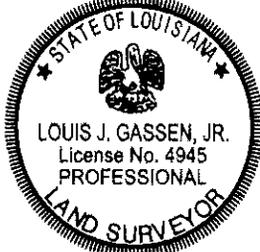
REFERENCE PLAN:  
 PINE STREET EXTENSION BY MICHAEL D. BERNARD,  
 DATED FEB. 14, 2001

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

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.



I certify that this 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**







141 PINE

143 PINE



139 PINE

141

R

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2018-37**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Derek and Stacey Dufrene  
P.O. Box 1257  
Laplace, La.

◆ **Location of Site:**

141 Pine Street, Des Allemands (Bayou Gauche)

◆ **Requested Action:**

To reduce the DFRIM (digital flood rate insurance maps) from AE +6 ft. to 0.0 ft. NAVD

◆ **Purpose of Requested Action:**

Construct a single family dwelling

### 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, D.5.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 September 13, 2018 a request to construct a single family residence at 141 Pine Street, Des Allemands, La., zoning district R-1A, DFRIM AE+6 was denied for improper flood elevation.
2. The applicant is requesting to construct the house at 0.0' instead of +6' NAVD.
3. This will place the house at a minimum of 4 feet over Pine Street.
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 stated the unique condition to the property is the proposed house is surrounded by homes much lower than the required DFRIM.
2. Applicant states enforcement of the ordinance would deprive them of rights enjoyed by their neighbors.

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 of possible flooding of neighbors from excessive fill.
7. Applicant stated an alternative construction method would be to build a, "sacrificial first floor".
8. Granting the variance will not harm the neighborhood.

141 Pine Street.





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)

September 19, 2018

Lee's Professional Properties LLC  
Joey Lee  
109 Acadia Lane  
Destrehan, La. 70047

Dear Mr. Lee,

This letter is to inform you that your request to construct apartments at 53 and 55 Carriage Lane, Destrehan, La., Zoning District R-3, has been rejected. This permit cannot be issued for the following reasons according to the St. Charles Code of Ordinances Appendix A, Sec. VI.B. [VIII] 2.a.:

1. The submitted site plan indicates that the proposed development lot size will have 2040 sq. ft. per family instead of the required 2500 sq. ft. per family.
2. The proposed driveway will be 10' wide instead of the required 12' width.

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

TURN IN BY 9.25.18  
 MEETING DATE 10.18.18

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

App rev. 09/15

ZBA Case #: 2018-38 Property Identification #: \_\_\_\_\_ Date submitted: 9/19/18  
 Receipt #: 3118 Flood Zone: AE+2.5 Zoning District: R-3

Applicant name Lee's Professional Properties LLC Phone # 504-666-0272  
 Mailing Address 109 Abadia Lane Email Address mjlee29@yahoo.com  
 Owner(s) Name Joey Lee Phone # "  
 Mailing Address " Email Address "  
 Municipal Address of Request 53 & 55 Carriage Lane Destrehan LA  
 Subdivision Name: \_\_\_\_\_  
 Square # \_\_\_\_\_ Lot # 45 & 46 Property sq. ft. 10,200 Each  
 Describe the variance being applied for: sq ft per dwelling unit from 2500 per family to 2040 per unit  
Driveway from 12 ft to 10 ft.  
 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?  
Nothing
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?  
Yes there's a property on the same street with the exact same building.
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 alter but improve. ~~is needed~~
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. \_\_\_\_\_

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

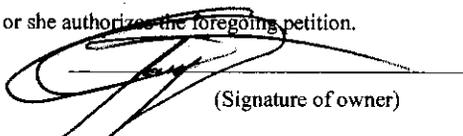
According to the conditions stated above provide your written testimony explaining how your request for a variance meets these guidelines (may submit on additional paper if needed)

I'm asking for a variance to go from 2500 to 2040 per unit and to take driveways from 12ft to 10ft. I also own 81 & 83 Carriage Lane with the exact development on them. Drive ways are looped around which means one way to go end and the other to go out. ~~before~~ The Units at 53 & 55 will be identical to 81 & 83 Carriage Lane.

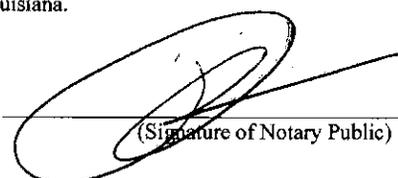
**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES Jefferson

Joey Lee 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 18 day of September, 20 18  
in my office at metairie, Louisiana.

  
(Signature of Notary Public)

(Seal)



# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2018-38**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Lee's Professional Properties LLC  
Joey Lee  
109 Acadia Lane  
Destrehan, La. 70047

◆ **Location of Site:**

53 & 55 Carriage Lane, Destrehan, La.

◆ **Requested Action:** To construct 10 apartments with the following reductions

1. To reduce the required lot size per family from 2,500 sq. ft. to 2040 sq. ft. in R-3 zoning
2. Reduce the proposed one way driveway to 10' instead of 12'.

◆ **Purpose of Requested Action:**

Construction of 5 apartments per lot

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel(s):**

10,200 sq. ft. each lot (Lot 53 and Lot 55)

◆ **Existing Zoning:**

R-3

◆ **Surrounding Land Uses and Zoning:**

Residential multifamily

**Floodplain Information:**

A99 DFRIM AE +2.5

### **APPLICABLE CODE REGULATION**

Appendix A Section VI. B. [VIII],

2. Spatial Requirements:

- a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.

### **SUMMARY**

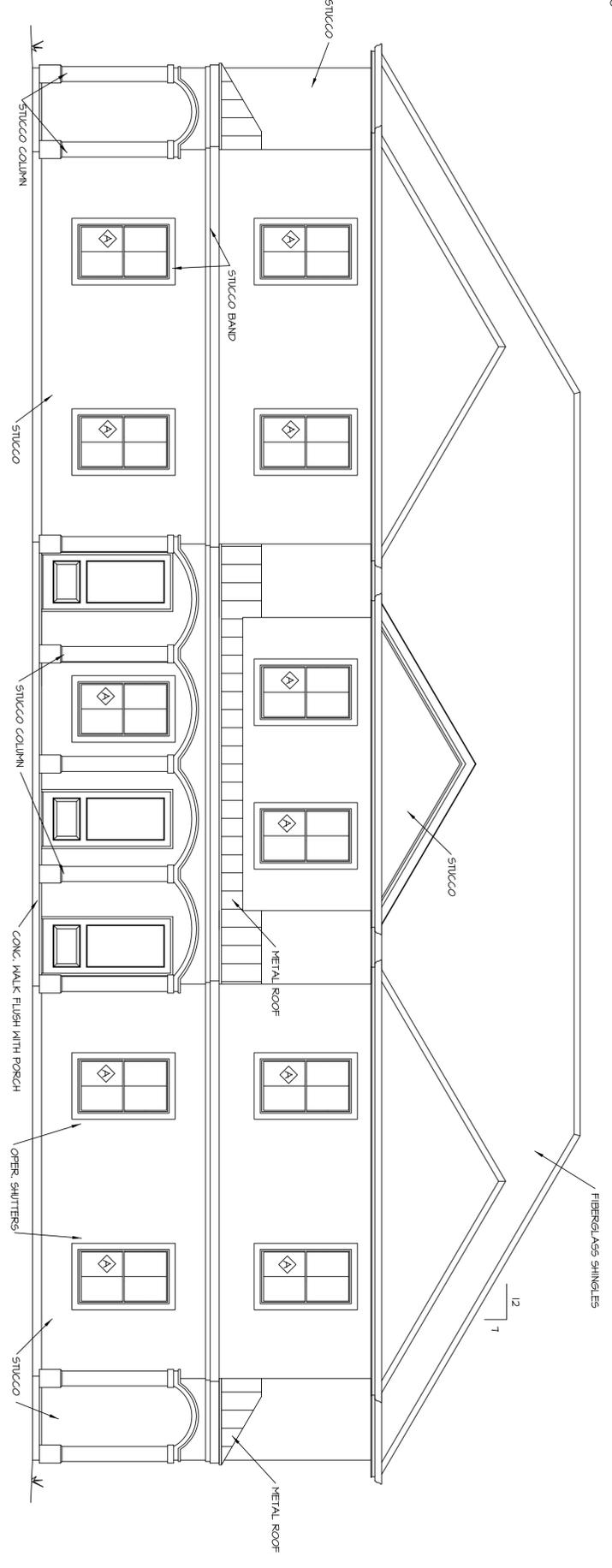
1. On September 19, 2018 a request to construct 5 attached apartments at 53 & 5 attached apartments at 55 Carriage Lane, Destrehan, LA zoning district R-3 was denied for improper lot size per family unit and driveway width.
2. The proposed site plan indicated the 10 unit structure would only have 2,040 sq. ft. per family instead of the required 2,500 sq. ft. per family.
3. The one way drive is 10' wide instead of 12'.

### **FINDINGS (based on applicant's statements)**

1. There are no unique conditions on this property which do not exist on other properties in the area.

2. Literal enforcement of the ordinance would deprive the applicant of rights enjoyed by surrounding properties because the property across the street has a higher unit count than allowed by code and a smaller per unit calculation than proposed by this project.
3. Granting the variance will not benefit the applicant over surrounding properties because the neighboring property has a unit count per square footage that greatly exceeds current regulations.
4. Granting of the variance will not alter the character of the neighborhood because several neighboring properties already have unit counts exceeding the current code.
5. Granting the variance would not cause negative impact to the surrounding properties. The project offers high quality that will improve the neighborhood and will be less intense than neighboring properties.
6. The proposed unit configuration meets all other aspects of the Code and the reduction from 2,500 S.F. to 2,040 S.F. per unit is the minimum variance necessary for the project to move forward.





**SIDE ELEVATION**  
SCALE : 3/16" = 1'-0"

key	qty	common name	hgt	description
PM	2	Palm Tree	10'-12"	2'-3" cal. straight trunk, hill head BAB
CM	1	Cycas palm	10'-12"	1 1/2" cal. multi-trunk
FA	46	Fashion Anole	18"	3 gal. full, 3 6/2.
HB	11	Habitat Boxwood	24"-36"	3 gal. full, 3 6/2.

**Plant Schedule**

- LANDSCAPE NOTE:**
1. SITE TO BE FREE OF RASH.
  2. MAINTENANCE TO LANDSCAPING TO BE DONE ON A REGULAR BASIS.
  3. ANY DEAD PLANT MATERIALS TO BE REMOVED.
  4. 6/8/55 - 51' AUGUSTINE / CENTIPEDE

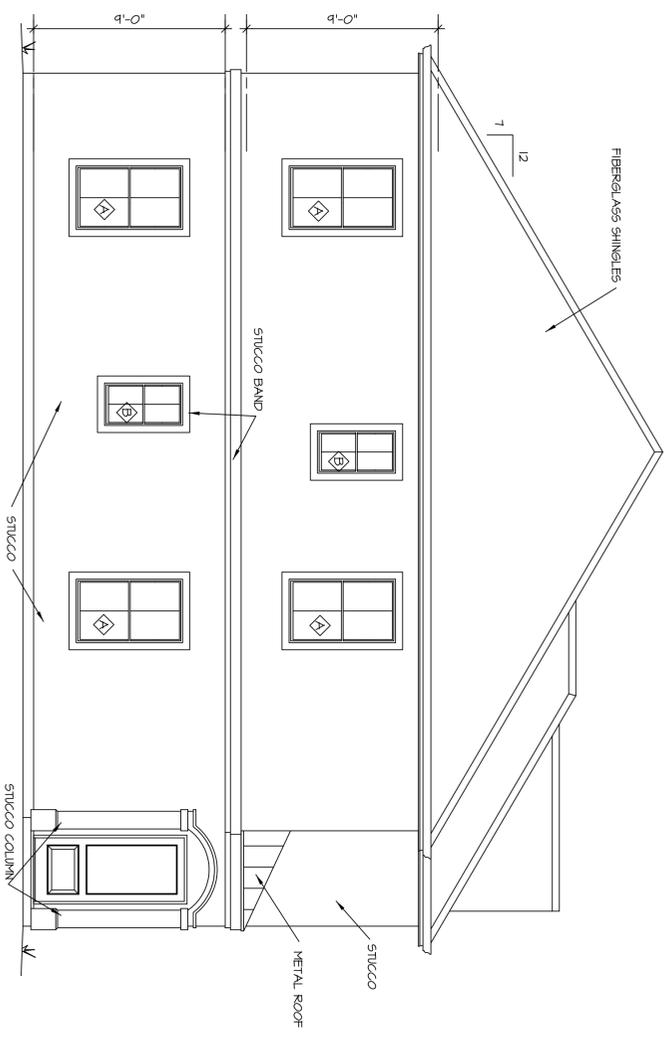
**LANDSCAPE REQUIRED AREA**

SITE AREA 10200 S.F.  
LANDSCAPE AREA 10689 S.F.  
PERCENT OF LANDSCAPING 10.47%

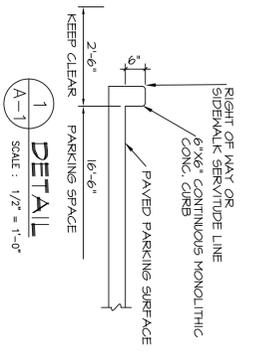
**BUILDING RESTRICTION**  
THE HURRICANE RESISTANCE CONSTRUCTION FOR THIS RESIDENCE WAS DESIGNED TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE 2015 INTERNATIONAL RESIDENTIAL CODE SECTION R301.2, AS MANDATED BY THE EMERGENCY PROVISIONS OF LOUISIANA ACT 12 (6944).  
I HAVE RESEARCHED THE REQUIREMENTS OF THE 2015 INTERNATIONAL RESIDENTIAL CODE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THESE DRAWINGS ARE IN COMPLIANCE THEREWITH. I TAKE FULL RESPONSIBILITY FOR THE CONTENTS OF THESE DRAWINGS.  
THE CONSTRUCTION OF THIS STRUCTURE IS TO CONFORM TO THE WIND AND FLOOD MITIGATION REQUIREMENTS OF THE 2015 INTERNATIONAL RESIDENTIAL CODE, ASCE 7 WIND LOADS, AS WELL AS THOSE REQUIRED BY FEMA.  
HURRICANE RESISTANCE CONSTRUCTION HAS BEEN DESIGNED USING THE PRESCRIPTIVE REQUIREMENTS OF THE WOOD FRAME CONSTRUCTION MANUAL, LATEST EDITION.  
THE STRUCTURE HAS BEEN DESIGNED FOR:  
THREE SECOND WIND GUST OF 150 MPH - BASED ON EXPOSURE B.  
UPLIFT RESISTANCE IS REQUIRED AND SHALL BE CONTINUOUS FROM THE ROOF TO THE FOUNDATION.

**GLAZED OPENING PROTECTION**  
ALL WINDOWS WITHOUT OPERABLE SHUTTERS SHALL BE PROVIDED WITH A MINIMUM THICKNESS OF 7/16" PLYWOOD STRUCTURAL PANELS FOR PROTECTION OF WINDBORNE DEBRIS, AS PER SECTION 301.2.12 OF THE INTERNATIONAL RESIDENTIAL CODE.  
THE PANELS ARE TO BE PRECUT TO COVER THE GLAZED OPENINGS WITH A 1/4" OVERLAP AND TO BE SECURED TO THE WINDOW FRAMEWORK BY TWO HURRICANE CLIPS TO BE INSTALLED AT WINDOWS IN BRICK VENEER. ATTACHMENT SHALL COMPLY WITH TABLE R301.2.12 OF THE INTERNATIONAL RESIDENTIAL CODE.  
PANELS ARE TO BE ON THE JOB SITE AT COMPLETION OF CONSTRUCTION.

**FLASHING NOTES:**  
1. SHEET METAL: ALL SHEET METAL WORK SHALL COMPLY WITH THE DESIGN AND INSTALLATION DETAILS AS PUBLISHED BY SMACNA (SHEET METAL AND AIR CONDITIONING CONTRACTORS NATIONAL ASSOCIATION, INC.). WORK TO INCLUDE, BUT NOT LIMITED TO GUTTERS, DOWN SPOUTS, EAVE FLASHING, VALLEY FLASHING, HIP AND RIDGE FLASHING, PARAPET WALL CORNERS, PARAPET WALL COVERINGS, ROOF PENETRATIONS, CHIMNEY, LEDGE AND WALL FLASHINGS.  
2. FLASHING: APPROVED CORROSION-RESISTIVE FLASHING SHALL BE PROVIDED IN THE EXTERIOR WALL ENVELOPE IN SUCH A MANNER AS TO PREVENT ENTRY OF WATER INTO THE WALL CAVITY OR PENETRATION OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS. FLASHING AND ROOF FLASHING SHALL BE INSTALLED CORRECTLY WITH SECTIONS R405.2.1 AND R405.2.2 OF THE INTERNATIONAL RESIDENTIAL CODE. ROOF FLASHING SHALL COMPLY WITH SECTION R405.2.1, IRC 2015.



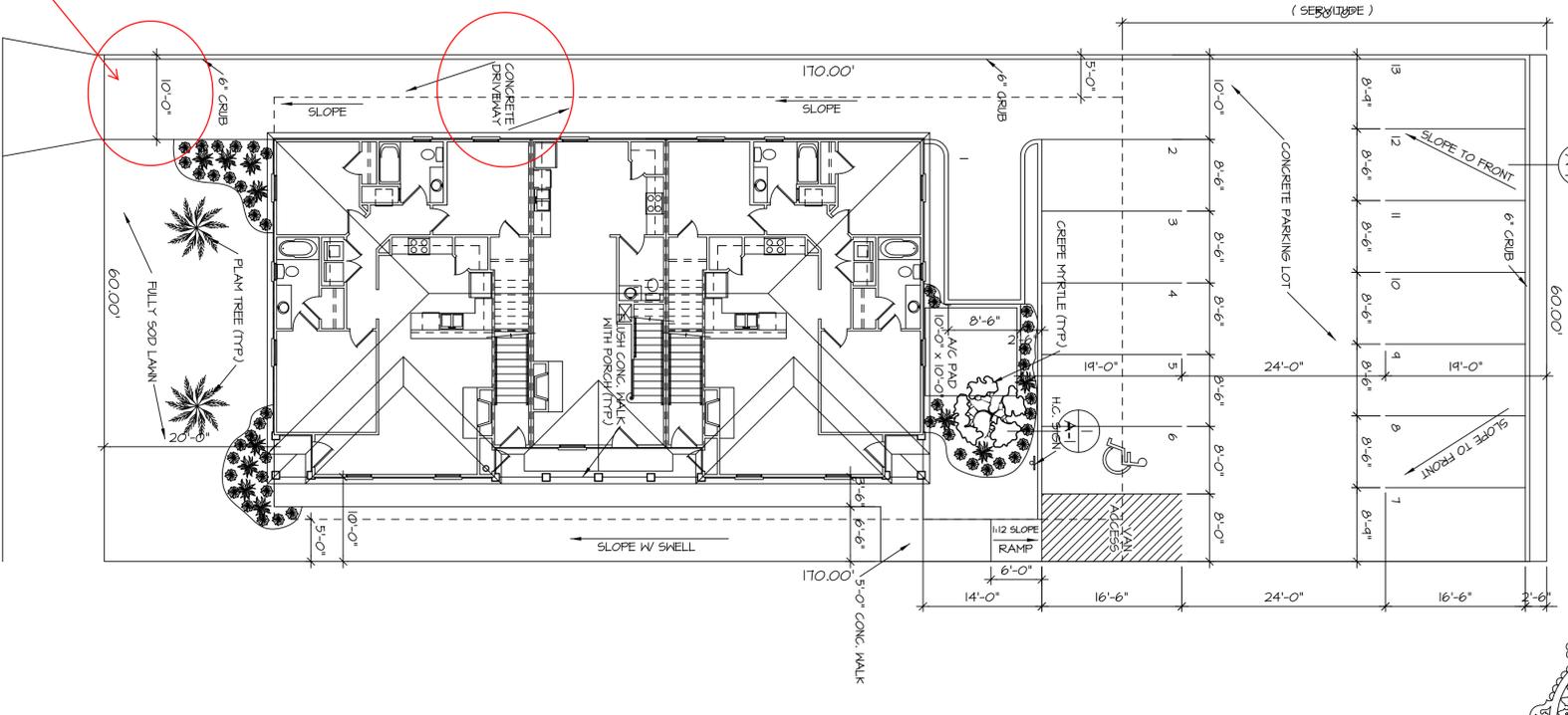
**FRONT ELEVATION**  
SCALE : 1/4" = 1'-0"



**APPROXIMATE SQ. FT.**

**SITE AREA**

FIRST FLOOR	2943 S.F.
SECOND FLOOR	2620 S.F.
SUBTOTAL	5563 S.F.
PORCH	125 S.F.
68055:	5688 S.F.
PARKING 4 DRIVE	4791 S.F.
CONC. WALK	374 S.F.
GREEN SPACED(20%)	2042 S.F.
SITE	10200 S.F.

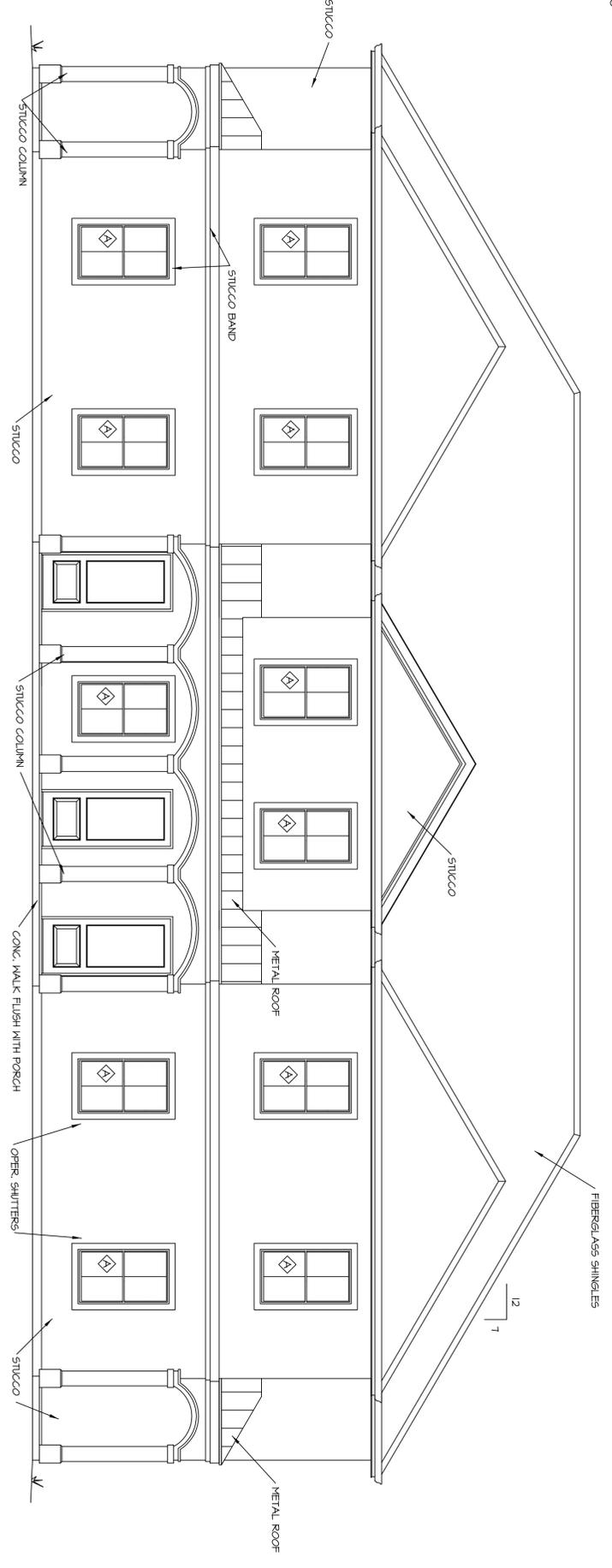


**SITE PLAN**  
SCALE : 1" = 10'-0"



**Legacy Apartments II**  
53 Carriage Ln., St. Charles Parish, La.

**Olde Orleans Designs**  
112 Bent Tree Ct., Covington, LA 70433

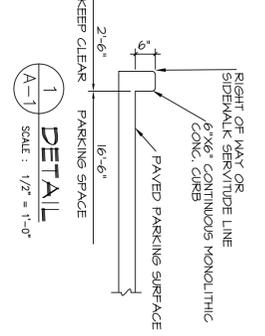


**SIDE ELEVATION**  
SCALE : 3/16" = 1'-0"

**Plant Schedule**

key	qty	common name	hgt	description
PM	2	Palm tree	10'-12"	2'-3" cal. straight trunk, hill head BAB
CM	1	Cycas	10'-12"	1 1/2" cal. multi-trunk
FA	46	Fashion Acaia	10'	3 gal. full, 3 6/2.
HB	11	Habitat Boxwood	24"-36"	3 gal. full, 3 6/2.

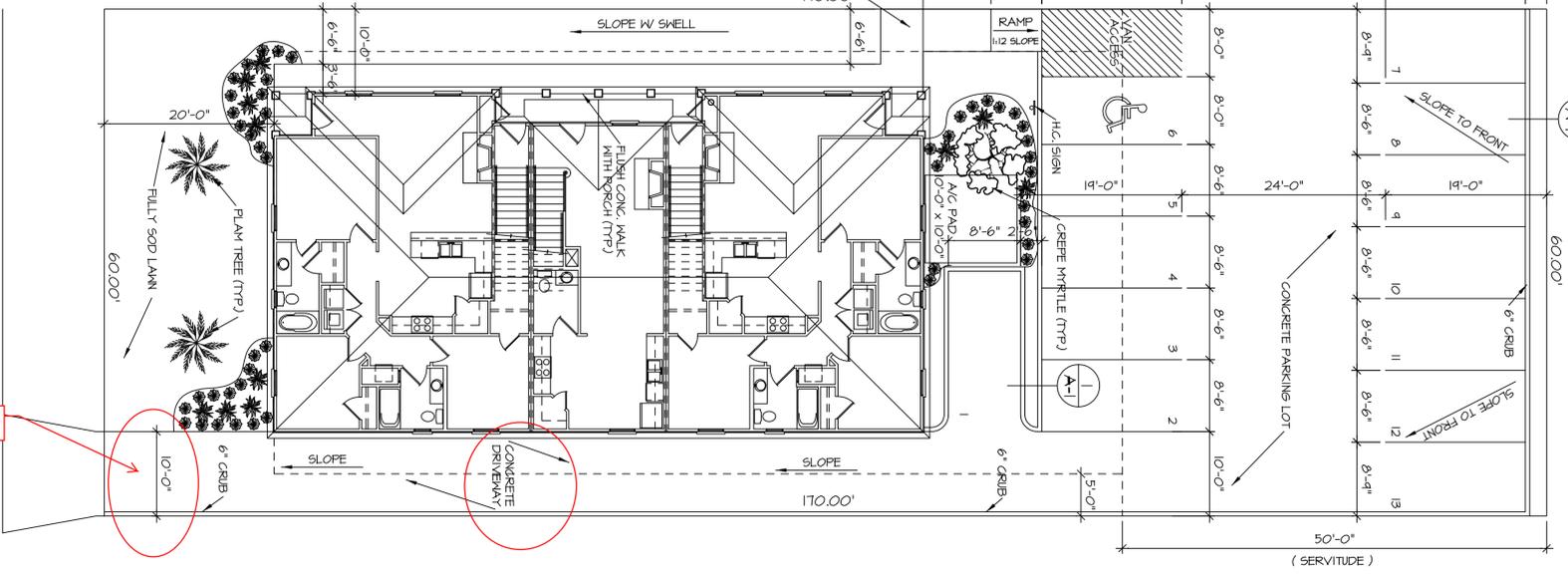
- LANDSCAPE NOTE:**
- SITE TO BE FREE OF RAUSH.
  - MAINTENANCE TO LANDSCAPING TO BE DONE ON A REGULAR BASIS.
  - ANY DEAD PLANT MATERIALS TO BE REPLACED.
  - GRASSES - ST. AUGUSTINE / CENTIPEDE
- LANDSCAPE REQUIRED AREA**  
LANDSCAPE AREA: 10200 S.F.  
PERCENT OF LANDSCAPING: 10.47%



**APPROXIMATE SQ. FT.**

**SITE AREA**

FIRST FLOOR	2448 S.F.
SECOND FLOOR	2620 S.F.
SUBTOTAL	5068 S.F.
PORCH	128 S.F.
GRASSES	5688 S.F.
PARKING & DRIVE	4731 S.F.
CONC. WALK	394 S.F.
GREEN SPACE(20.1%)	2042 S.F.
SITE	10200 S.F.



**SITE PLAN**  
SCALE : 1" = 10'-0"



North



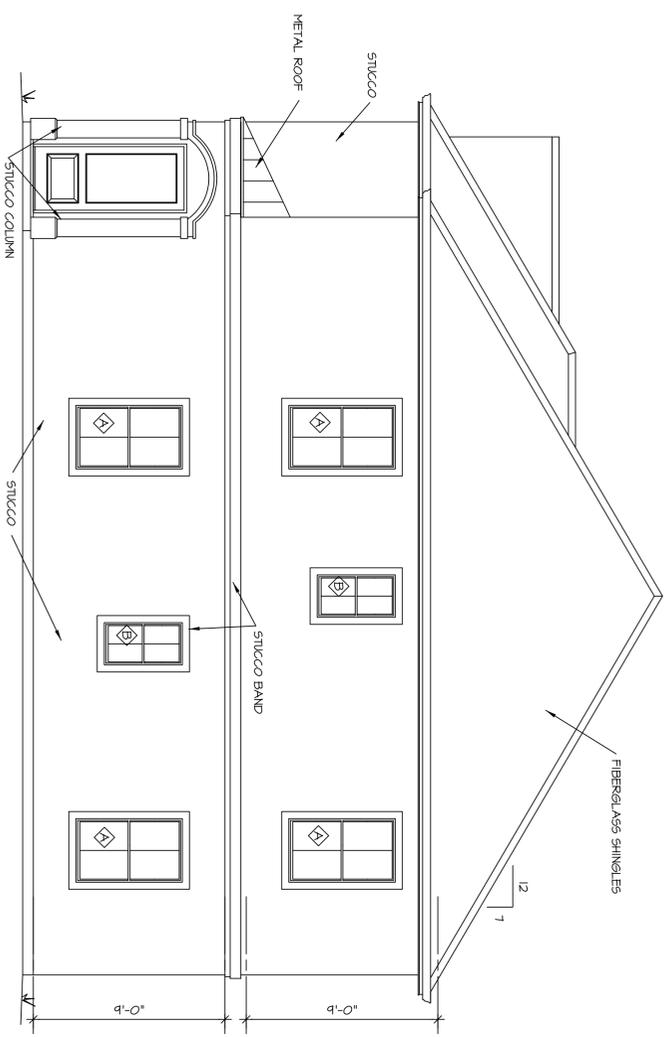
THIS PLAN AND SPECIFICATION HAS BEEN PREPARED BY ME OR UNDER MY CLOSE SUPERVISION, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THEY COMPLY WITH ALL CITY CODE REQUIREMENTS. I AM NOT ADMINISTERING THE WORK. REG. NO. 4352

Attention to or deviation from the information shown on this sheet, without advance approval in writing from the Architect, may void Olde Orleans Designs responsibility.  
© 2016 Olde Orleans Designs, Inc.

**BUILDING RESTRICTION**  
THE HURRICANE RESISTANCE CONSTRUCTION FOR THIS RESIDENCE WAS DESIGNED TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE 2015 INTERNATIONAL RESIDENTIAL CODE SECTION R301.2, AS MANDATED BY THE EMERGENCY PROVISIONS OF LOUISIANA ACT 12 (6944).  
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THE PANELS ARE TO BE PROVIDED TO COVER THE GLAZED OPENINGS WITH A MINIMUM OVERLAP OF 2" TO THE ADJACENT PANELS. THE PANELS ARE TO BE SECURED AT WINDOWS IN BRICK VENEER ATTACHMENT SHALL COMPLY WITH TABLE R301.2.12 OF THE INTERNATIONAL RESIDENTIAL CODE.  
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**FLASHING NOTES:**  
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**FRONT ELEVATION**  
SCALE : 1/4" = 1'-0"

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2018-38**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Lee's Professional Properties LLC  
Joey Lee  
109 Acadia Lane  
Destrehan, La. 70047

◆ **Location of Site:**

53 & 55 Carriage Lane, Destrehan, La.

◆ **Requested Action:** To construct 10 apartments with the following reductions

1. To reduce the required lot size per family from 2,500 sq. ft. to 2040 sq. ft. in R-3 zoning
2. Reduce the proposed one way driveway to 10' instead of 12'.

◆ **Purpose of Requested Action:**

Construction of 5 apartments per lot

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel(s):**

10,200 sq. ft. each lot (Lot 53 and Lot 55)

◆ **Existing Zoning:**

R-3

◆ **Surrounding Land Uses and Zoning:**

Residential multifamily

**Floodplain Information:**

A99 DFRIM AE +2.5

### APPLICABLE CODE REGULATION

Appendix A Section VI. B. [VIII],

2. Spatial Requirements:

- a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.

### SUMMARY

1. On September 19, 2018 a request to construct 5 attached apartments at 53 & 5 attached apartments at 55 Carriage Lane, Destrehan, LA zoning district R-3 was denied for improper lot size per family unit and driveway width.
2. The proposed site plan indicated the 10 unit structure would only have 2,040 sq. ft. per family instead of the required 2,500 sq. ft. per family.
3. The one way drive is 10' wide instead of 12'.

### FINDINGS (based on applicant's statements)

1. There are no unique conditions on this property which do not exist on other properties in the area.

2. Literal enforcement of the ordinance would deprive the applicant of rights enjoyed by surrounding properties because the property across the street has a higher unit count than allowed by code and a smaller per unit calculation than proposed by this project.
3. Granting the variance will not benefit the applicant over surrounding properties because the neighboring property has a unit count per square footage that greatly exceeds current regulations.
4. Granting of the variance will not alter the character of the neighborhood because several neighboring properties already have unit counts exceeding the current code.
5. Granting the variance would not cause negative impact to the surrounding properties. The project offers high quality that will improve the neighborhood and will be less intense than neighboring properties.
6. The proposed unit configuration meets all other aspects of the Code and the reduction from 2,500 S.F. to 2,040 S.F. per unit is the minimum variance necessary for the project to move forward.





# 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

September, 2018

Karen Chiasson  
307 2<sup>nd</sup> Street  
Des Allemands, La 70030

Dear Mrs. Chiasson,

This letter is to inform you the request to place a mobile home at 305 2<sup>nd</sup> Street, Des Allemands La., zoning district R-1AM has been rejected. This permit cannot be issued for the following reasons according to the St. Charles Code of Ordinances XX C.2 as amended by Ord. 13-7-7:

1. The submitted site plan and grade certificate indicates that the proposed mobile home will be at +1.25 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 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 #: 2018-39 Property Identification #: \_\_\_\_\_ Date submitted: 9/21/18  
 Receipt #: 3119 Flood Zone: 4c Zoning District: R-1Am

Applicant name Karen Chiasson Phone # 504-812-5696  
 Mailing Address 307 2nd St. DA LA Email Address Chiasskaren@gmail.com  
 Owner(s) Name Karen Chiasson Phone # \_\_\_\_\_  
 Mailing Address 307 2nd St. DA LA 70030 Email Address Chiasskaren@gmail.com  
 Municipal Address of Request 305 2nd St. DA LA 70030  
 Subdivision Name: Green Acres  
 Square # \_\_\_\_\_ Lot # \_\_\_\_\_ Property sq. ft. 10,800 sq. ft.  
 Describe the variance being applied for: To reduce the flood elevation from 6' to 1.25'  
 Code Section being appealed: App A Sec. ~~8~~ Flood Elevations

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? All properties surrounding 305 are ground level and would be a hardship to elevate to 6ft. off of ground and would cause flooding.
- 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 other homes are at ground level
- 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 would help me to conform the rest of the neighbors.
- 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 will allow me to conform to the rest 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. The added elevation would cause rain/water runoff to my neighbors.



PARISH OF SAINT CHARLES  
DEPARTMENT OF PLANNING AND ZONING

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

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

**COMPLETE THE FOLLOWING:**

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation?  
yes.
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places. (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes \_\_\_\_\_ No X
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.) filling w/dirt but would flood neighbors.
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.) I would not be able to support myself as a resident. It is my future income as a single person.
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.) the hardship it would cause to the surrounding property would be created w/a slab or more dirt.
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: 10,800 sqft.
  - C. Existing average grade at center of property and existing grades of all corners: .25 - 0.4
  - D. Existing center line street grades: .25
  - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: 21ft Right of prop. 12.6ft on the left of prop.
  - 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. attached.
  - H. Any other pertinent information or documents to support this request.

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 alternative is to build up 6' but doesn't conform to neighboring properties and has potential to cause flooding.*

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?

*If not approved causing me to build up 6' it would cause flooding to neighbors.*

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)

*My request for the variance will allow me to place the trailer at ground level conforming to the other properties in the neighborhood eliminating the possibilities of potential flooding to neighboring properties.*

**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Karen Chiasson 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.

Karen Chiasson  
(Signature of owner)

Subscribed and sworn to before me this 21<sup>st</sup> day of September, 20 18  
in my office at Hahnville, Louisiana.

[Signature]  
(Signature of Notary Public)

(Seal)

**SCOTT J. FALGOUST**  
**ATTORNEY/NOTARY PUBLIC**  
**BAR# 33545/NOTARY ID #132764**  
**Parish of St. Charles**  
**State of Louisiana**  
**My Commission is for life.**



**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 Karen Chiasson, (hereinafter "appearers"), after being duly sworn, acknowledged that they are the owners of the property located at 305 2nd St. DA. LA 70030, and that said property was acquired by instrument registered in the official records of St. Charles Parish at COB 866 FOLIO 17. 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 6.00 however the building(s) elevation will be 1.25 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 September, 2018.

**WITNESSES:**

**APPEARERS:**

Jennifer Caropino  
PRINT NAME: Jennifer Caropino

Karen Chiasson

Elizabeth Carmona  
PRINT NAME: Elizabeth Carmona

Scott J. Falgout  
NOTARY PUBLIC

PRINT NAME: Scott J. Falgout

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

SEAL REQUIRED

**SCOTT J. FALGOUST**  
**ATTORNEY/NOTARY PUBLIC**  
**BAR# 33545/NOTARY ID #132764**  
**Parish of St. Charles**  
**State of Louisiana**  
**My Commission Is for life.**



Approved/Disapproved

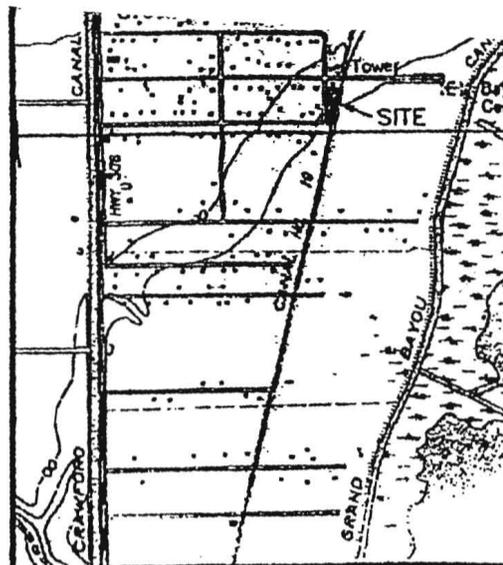
*[Signature]*  
Planning Commission Chairman

6-19-01  
Date

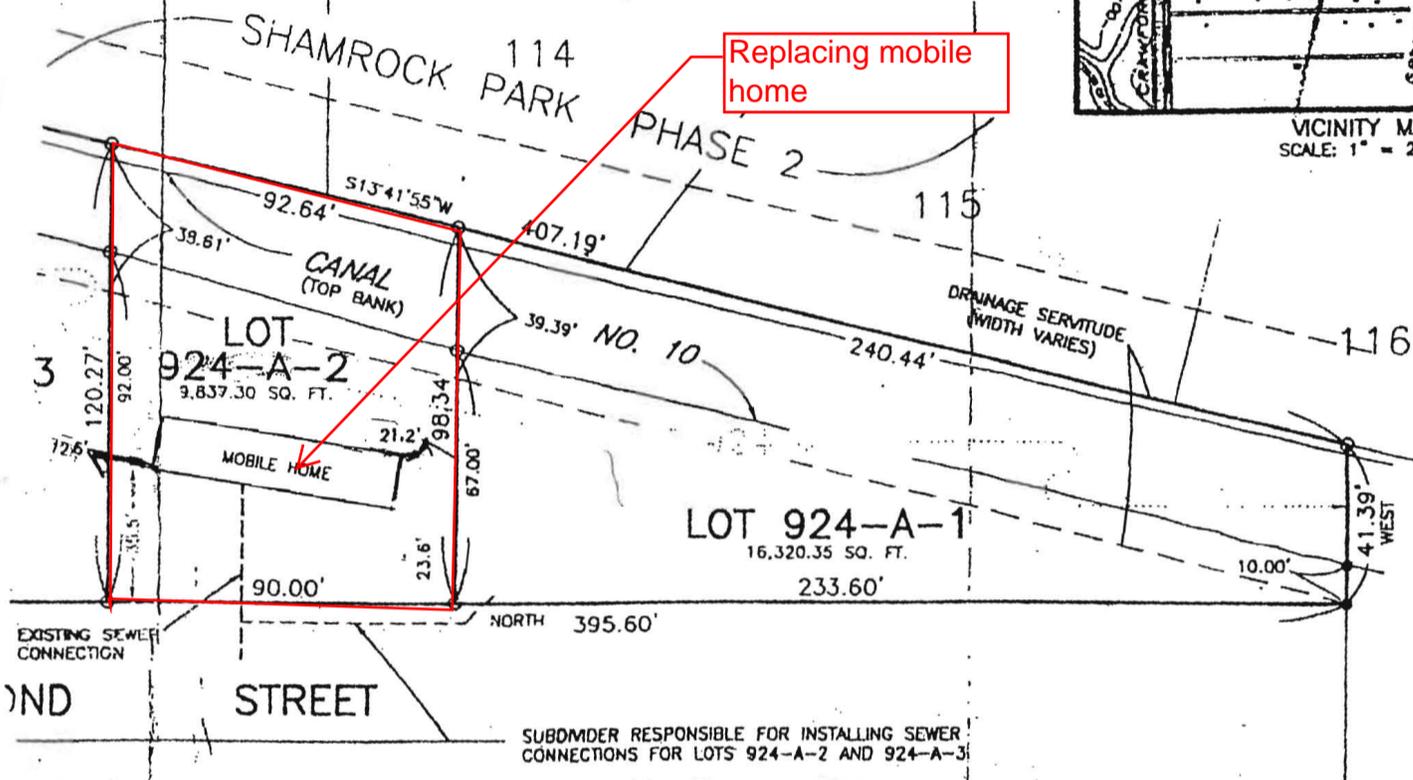
Approved/Disapproved

*[Signature]*  
Parish President

6/20/2001  
Date



VICINITY MAP  
SCALE: 1" = 2000'



- LEGEND
- ⊙ = MONUMENT
  - = IR FOUR
  - = IR SET
  - x— = FENCE
- BEARINGS ARE REFERENCE TO SMITH'S GREEN

SUBDIVISION OF LOT 924-A  
SUNSET DRAINAGE DISTRICT  
924-A-1, 924-A-2, & 924-A-3  
SECTION 34, T14S. - R20E  
CHARLES PARISH, LOUISIANA  
APRIL 18, 2001

I certify that this plat represents a true and correct ground survey performed under and is in accordance with the standards of practice for a Class

*[Signature]*  
LUCIEN C. GASSEN, PLS  
Registration No. 353  
LULING, LOUISIANA 70070

PREPARED BY R J W ENTERPRISES, INC.

**LUCIEN C. GASSEN**

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

September 10, 2018

**GRADE CERTIFICATE**

Lot Number: 924-A-2

Square:

Subdivision: Of The Sunset Drainage District

Municipal No.: 305 2nd Street

Firm Zone: X  
**DFIRM ZONE: AE**

Base Flood Elevation: NA  
**DFIRM Advisory Base Flood Elevation: 6.00 NGVD**

Existing Street Elevation: ..... 0.25 NAVD

Existing Ground Elevation: ..... -0.4 NAVD

Reference Elevation Mark Only: ..... 3.00 NAVD

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

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

**DESCRIPTION:** 60d nail in Power 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)

Google recommends using Chrome  
Try a fast, secure browser with updates built in

☰ Gmail

🔍 Search mail

Compose

Inbox 4

Starred

Snoozed

Sent

Drafts 2

👤 Karen

+

No recent chats  
Start a new one

Lot Inbox x

**Karen Chiasson** <chiasskaren@gmail.com>  
to me

4:04 PM (3 minutes)



Home left of  
trailer site.

IMG-9760.JPG



Home Right of  
trailer site.

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2018-39**

### GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Karen Chiasson.  
307 2<sup>nd</sup> Street  
Des Allemands, La 70030

◆ **Location of Site:**

305 2<sup>nd</sup> Street, Des Allemands 70030

◆ **Requested Action:**

To reduce the DFRIM (digital flood rate insurance maps) from AE +6 ft. to + 1.25 ft. NAVD

◆ **Purpose of Requested Action:**

Placement of a mobile home

### SPECIFIC SITE INFORMATION

◆ **Size of Parcel:**

10,800 sq. ft.

◆ **Existing Zoning:**

R-1AM

◆ **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, D.5.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 September 21, 2018 a request to place a mobile home at 305 2<sup>nd</sup> Street, Des Allemands LA., zoning district R-1AM, DFRIM AE+6 was denied for improper flood elevation.
2. The applicant is requesting to place the mobile home at +1.25 ft. instead of 6 ft. NAVD.
3. This will place the house at a minimum of 1' over 2<sup>nd</sup> Street.
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 meeting the required elevation would make the structure unsafe being 6' off the ground
2. Enforcement of the ordinance would deprive the applicant of rights enjoyed by surrounding properties
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 residential structures are built below the construction DFIRM currently required.
6. Applicant states the flood zone elevation creates hardship because family members have medical conditions that would limit their ability to visit and babysit.
7. Applicant did not state alternative construction.
8. Applicant states granting the variance would not cause negative impact to the surrounding properties.

305 Second Street





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)

September 21, 2018

Michael Walters  
P.O. Box 39  
Boutte, La. 70039

Dear Mr. Walters,

This letter is to inform you the request to construct a 18' x 40' detached carport cover at 616 Aquarius Street, Hahnville, 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.(2)

1. The side setback will be 1' from the side property line instead of the required 3' 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 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 #: 2018-40 Property Identification #: \_\_\_\_\_ Date submitted: 9/21/18  
 Receipt #: 25743418 Flood Zone: \_\_\_\_\_ Zoning District: R-1A

Applicant name Michael Walters Phone # 504-451-9397  
 Mailing Address P.O. Box 39 Boute LA, 70039 Email Address mi159357@ymail.com  
 Owner(s) Name same as above Phone # \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Email Address \_\_\_\_\_  
 Municipal Address of Request 6016 Aquarius St, Hahnville LA, 70057  
 Subdivision Name: Land of Aquarius  
 Square # \_\_\_\_\_ Lot # 12 Property sq. ft. 9,417  
 Describe the variance being applied for: Applying for side set back  
from 3' to 1' for detached carport  
 Code Section being appealed: App. A Sec. VI, B. [1] 2.6.2

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?

Due to a narrow lot, parking is limited to access on one side

- 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 think so. without the variance we would have to park single instead of side by side parking

- 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?

none that I can see.

- 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.

Carports like the one I would like to place are professionally installed and will be an asset to the property

- 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.

by building to the existing requirements from the property line will not allow us to have full access to covered parking. Building at the 3' limit will make side by side parking under a cover a problem.

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 way the home was built on the lot does not allow us any other options

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?

None that I can see.

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 reason for the variance is so we could have full access to covered parking and to improve the looks of our home. I believe that being able to fully access to cover the driveway will not in any way affect the neighborhood in a negative way.

**OWNER'S ENDORSEMENT**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

Michael Walters 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.

Michael W. Walters  
(Signature of owner)

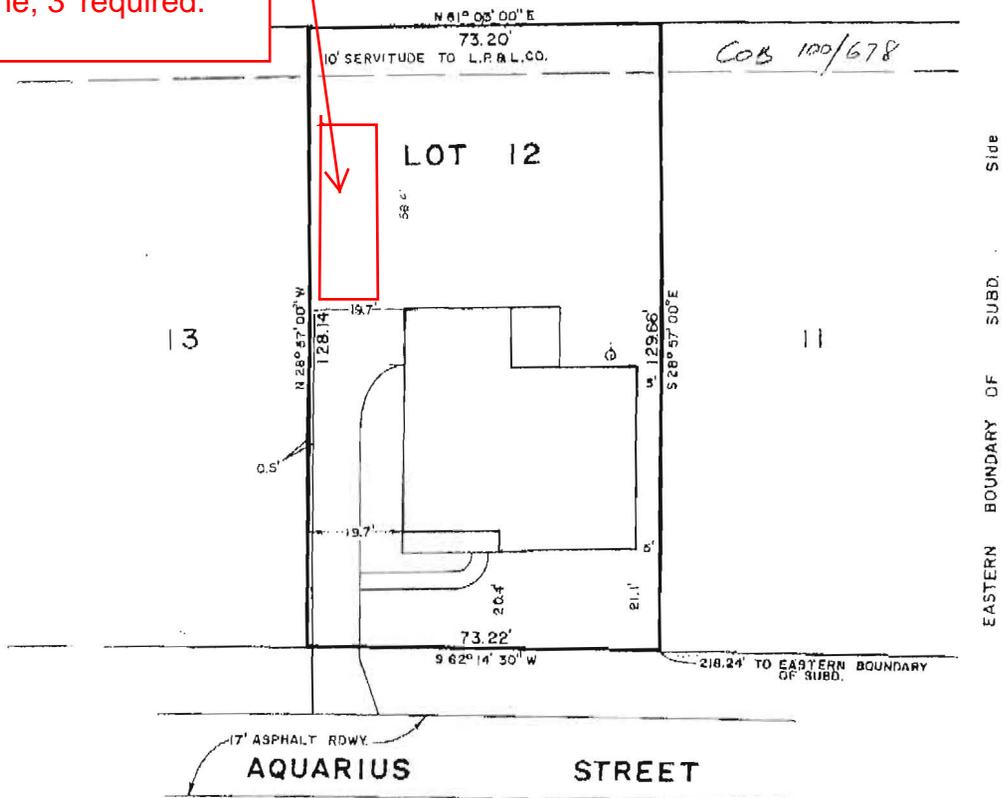
Subscribed and sworn to before me this 21<sup>st</sup> day of September, 20 18  
in my office at Hebenville, Louisiana.

**SCOTT J. FALGOUST**  
**ATTORNEY/NOTARY PUBLIC**  
**BAR # 33545/NOTARY ID #132764**  
**Parish of St. Charles** (Seal)  
**State of Louisiana**  
**My Commission is for life.**

[Signature]  
(Signature of Notary Public)



Proposed carport 1' from side property line; 3' required.



SURVEY OF LOT 12  
 LAND OF AQUARIUS  
 IN SECTION 26, T13S-R20E  
 HAHNVILLE, ST. CHARLES, LOUISIANA  
 SCALE: 1" = 30'

MARCH 17, 1986

ADDED IMPROVEMENTS JULY 18, 1986  
 UPDATED DEC. 25, 1986

This is to certify that I have consulted  
 the Flood Insurance Rate Maps and found  
 that this property is in Zone B.

LOT 11

Property Line

LOT 12

House

Storage  
Sheds

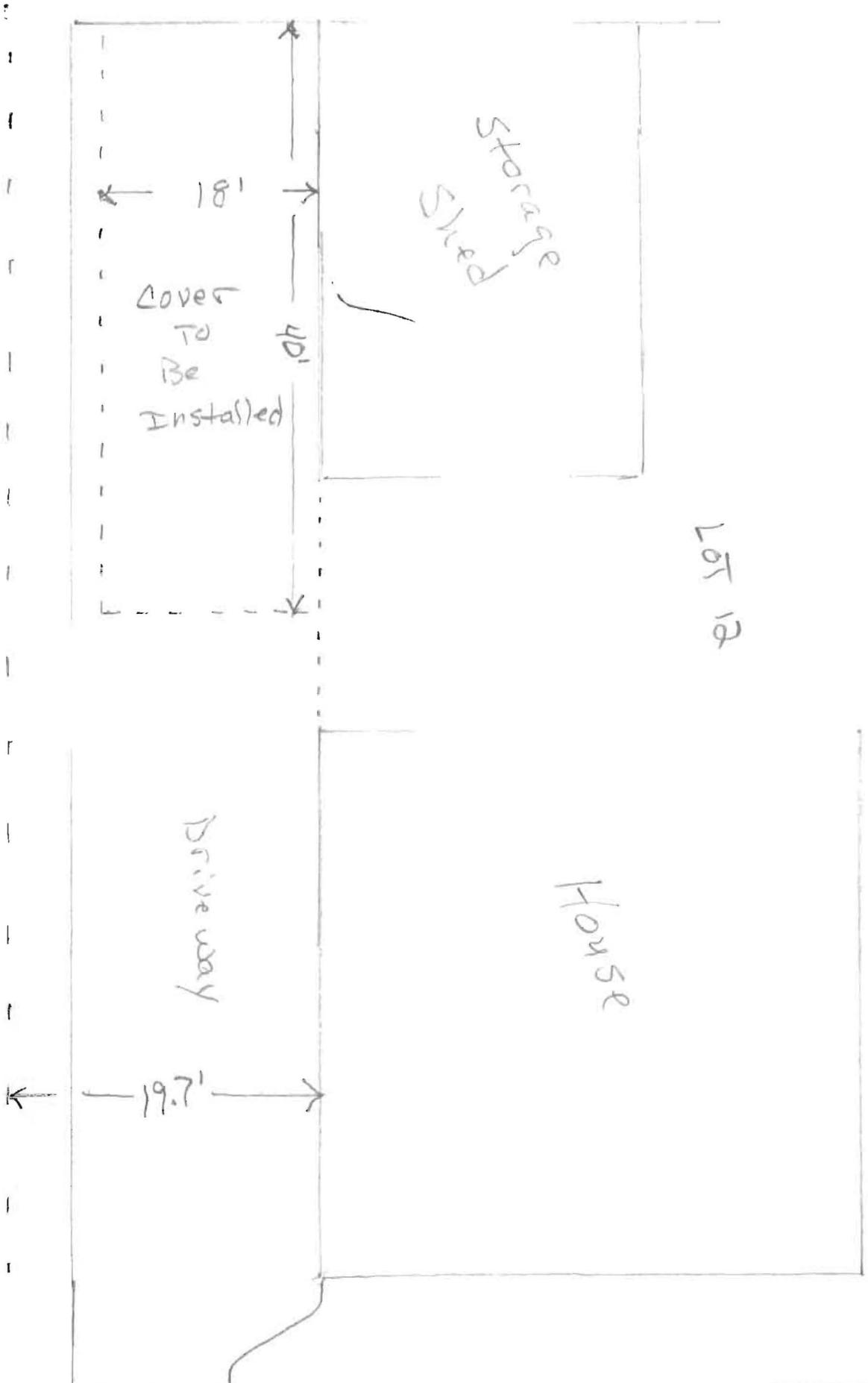
COVER  
TO  
BE  
INSTALLED

Driveway

Aquarius street

LOT 13

Property Line



# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

**CASE NUMBER: ZBA-2018-40**

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:**  
Michael Walters  
P.O. Box 39  
Boutte, La. 70039
- ◆ **Location of Site:**  
616 Aquarius Street
- ◆ **Requested Action:**  
To reduce the required side yard property line from 3 ft. to 1 ft.
- ◆ **Purpose of Requested Action:**  
Construct a detached 18' x 40' carport in the rear yard

### SPECIFIC SITE INFORMATION

- ◆ **Size of Parcel:** 9,417 sq. ft.
- ◆ **Existing Zoning:** R-1A
- ◆ **Surrounding Land Uses and Zoning:** Residential
- ◆ **Utilities:** Standard utilities service the site.
- ◆ **Floodplain Information:** X zone

### APPLICABLE CODE REGULATION

\St. Charles Code of Ordinances, Appendix A., Section VI. B. [I] 2.c.

(3) Minimum setback of accessory buildings including overhangs shall be three (3) feet.

### SUMMARY

1. On September 21, 2018 a request to construct a 18' x 40' detached carport in the side yard at 616 Aquarius Street, Hahnville, district R-1A was denied for improper side yard setbacks.
2. The proposed structure is 1' from the side property line instead of 3' as required by zoning code.
3. The carport will cover an existing driveway on the left side of the existing house and is intended for storing a boat.

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

1. The applicant states the unique conditions is a narrow lot.
2. Applicant states the parking would be back to back instead of side to side.
3. The applicant stated they did not cause the hardship.
4. A special privilege would be granted by the variance regarding the side setback.
5. Granting of the variance will not alter the character of the neighborhood.
6. Applicant did not state a hardship other than his vehicles would not be covered if he parked side by side.
7. Applicant states no alternatives were considered because of the way the house is on the property.
8. The applicant states the proposed structure would not cause negative impact to the neighboring properties.

Proposed 18' x 40'-  
carport cover  
placement 1' from  
the side property  
line; 3' required.

