



Planning
Department
Bessie L. Martin
Director

STAFF REPORT

Docket No. WS-145-23

Summary No. 26294

Major Subdivision

Ackbar Plantation Subdivision

PARISH COUNCIL
A: Jennifer Van Vrancken
B: Scott Walker
1: Marion F. Edwards
2: Deano Bonano
3: Byron Lee
4: Arita M.L. Bohannon
5: Hans J. Liljeberg

Cynthia Lee Sheng
Parish President

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LOCATION (FIGURE 1)

4948 Lepine St.; bounded by Privateer Blvd., Naomi St., Bayou Baratavia and Helmer St.

OWNER: Calvin and Denise Guidry

APPLICANT: Calvin Guidry

COUNCIL DISTRICT: 1

PAB HEARING: 4/11/2024

LAST MEETING DATE FOR COUNCIL ACTION: 8/7/2024

ZONING (FIGURE 2)

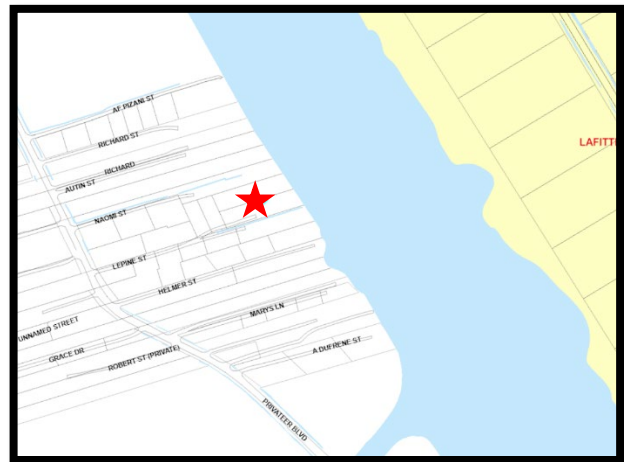
U-1S Unrestricted Residential District

FUTURE LAND USE (FIGURE 3)

RUR Rural

REQUEST (FIGURE 4)

Existing Part of Lots 5 and 6 into
Proposed Lots 5C and 5D
And the dedication of a 5 ft. water servitude



West Bank Partial Vicinity Map

WAIVERS (FIGURE 4)

Waiver of development standard that lots front on an improved street

RECOMMENDATIONS

PLANNING DEPARTMENT:

Approval for the following reason(s):

- Except for lot frontage, the proposed subdivision meets the requirements of the Unified Development Code and is consistent with Envision Jefferson 2040.
- The requested waiver of lot frontage meets the required findings for subdivision waivers of Sec. 33-2.35.

PLANNING ADVISORY BOARD: Denial

CONSISTENCY WITH ENVISION JEFFERSON 2040

The proposal is consistent with Goal 1, Objective 4: Provide sufficient land for residential, commercial, and industrial facilities and sites.

FINDINGS

BACKGROUND

1. The site is comprised of a Part of Lot 5 and a Part of Lot 6. There is currently a house (4948 Lepine St.) on the property. There was previously a second residential structure (4946 Lepine St.) on the property that was damaged by storms and demolished. The purpose of the subdivision is to reorient the common lot line between the two subject parcels to allow construction of a new residence on proposed Lot 5C. As per Sec. 40-46 *Required lot and occupancy* “every building or structure hereafter erected shall be located on a single lot of record.”
2. The property has access to Privateer Blvd. via Lepine St. which is a private street that does not meet the standards of the Jefferson Parish Subdivision Public Improvements Standards Manual. Per Sec. 33-6.6.1(d), all lots are required to front on a public street or private street improved to Parish standards. The applicant is requesting a waiver of this standard.
3. The property is encumbered with an existing 9 ft. access servitude in favor of Lot 7-G in accordance with Consent Judgment dated February 3, 2015 (COB 3347 FOL 261). This servitude will remain unchanged by the proposal.
4. As per Public Works, sewer is unavailable for this property. The existing residence at 4948 Lepine has a private wastewater treatment plant. There was previously a house at 4946 Lepine with a private wastewater treatment plant. Thus, the property has access to private sewer in place of public sewer and a waiver for adequate public facilities is not required.
5. The proposed resubdivision would result in the water meter for 4948 Lepine being located on a different lot of record than the residence (proposed Lot 5C). As such, the Water Department is requiring the property owner to relocate the water meter to proposed Lot 5D, pay to extend the 2” water line to the new water meter, and dedicate a 5 ft. servitude centered on the 2” water line. The owner has agreed to relocate the water meter and is dedicating the 5 ft. servitude as part of this resubdivision.
6. Sec. 33-2.31.2 and Sec. 33-2.35 of the Unified Development Code (UDC) require subdivisions involving the creation of lots that do not meet the provisions of the UDC and necessitate subdivision waivers to be approved by the Jefferson Parish Council.

DIMENSIONAL STANDARDS (FIGURE 4)

7. For property developed with single-family dwellings, the U-1R District requires a minimum width of 40 ft., depth of 75 ft., and area of 4,000 sq. ft. The proposed lots meet the minimum lot width, depth, and area requirements for single-family development in the U-1R district.
8. The existing lot line divides the structure located at 4948 Lepine St. The proposed subdivision will correct this and will provide proper side setbacks for the structure.
9. The UDC has established a set of review criteria for preliminary and final plats, which have been applied to the proposed subdivision (Table 3). Additional criteria for “Block and Lot Standards” have also been applied (Table 4). The proposed subdivision does not comply with all criteria; therefore, a waiver is required.

WAIVERS (FIGURE 4)

10. Sec. 33-6.6.1(d) *Lots Generally* requires that all lots front on a public street or private street improved to Parish standards. Proposed Lots 5C and 5D do not have frontage on a public right-of-way; they can only be accessed via Lepine St, a private street which is not improved to Parish standards. Therefore, the applicant requests a waiver of this requirement. (Figure 4).
11. Although the proposed lots do not have frontage on a public street, the property has historically been accessed via Lepine St., a private street. The neighboring lots with frontage on Privateer Blvd. are under separate ownership.
12. The UDC has established a set of review criteria for subdivision waivers, which has been applied to the proposed subdivision. The requested waiver complies with the criteria for subdivision waivers for the following reasons (Table 5):
 - a. As per the Code, only one residential dwelling may be constructed on a lot. The reconstruction of a second structure is not allowed without the subdivision.
 - b. The narrow, linear shape of the original tract restricts the proposed lot configuration.
 - c. The waiver will not confer any special privilege that is denied by the Code to similar properties in the surrounding area.
 - d. The granting of the waiver will not be contrary to the public interest, will not adversely affect property values, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this UDC.

DEPARTMENT COMMENTS

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Public Works	Not Opposed	WS-145-23 Public Works Department on (2/16/24) This statement/letter is strictly based on technical issue(s). It does not address any potential Code of Ordinance violations/regulations. Such regulations shall be addressed by other departments such as Code Enforcement, Planning, etc' prior to the granting of a permit. Note: existing drainage along Lepine St is private, Drainage Dept does not maintain Drain lines along Lepine St. Each Proposed Lot 5C & 5D and has its own domicile is required to have a separate sanitary sewerage and a permit from the State for a sewerage treatment plant will be required at the permit stage. Each Lot will require have their own separate water meter. Note any future construction or addition, may require additional comments and requirements.
Building Permits	Not Opposed	No comment
Engineering-Site Plan	Not Opposed	No comment
Parish Attorney	Not Opposed	We will defer to the other departments for comments.
Fire	Not Opposed	No comment
Environmental	Not Opposed	No comment

TABLES

Table 2: Description of Lots					
	Lot #	Primary Frontage	Avg. Width (ft.)	Avg. Depth (ft.)	Area (sq. ft.)
Existing	Part of Lot 5	None	60	250	+/- 14,730
Existing	Part of Lot 6	Lepine St. (private)	60	260	+/- 14,990
Proposed	Lot 5C	Lepine St. (private)	80	120	9,520
Proposed	Lot 5D	Lepine St. (private)	177	120	+/- 20,210

**Table 3: Major subdivision review criteria for preliminary/final plats
[Section 33-2.32]**

Criteria	Compliance	
	Yes No	Comments
Consistent with Comprehensive Plan	Yes	Meets Goal 1, Objective 4 of the Land Use Section: "Provide sufficient land for residential, commercial, industrial and recreational land uses."
Consistent with existing or proposed zoning of property	Yes	The proposed lots meet the minimum lot size requirements for residential development
Availability of adequate facilities and services	Yes	Although the property is not within 300 ft. of a parish sewer system, proposed Lot 5D is currently developed with a house with a private wastewater treatment plant. The previous house on Lot 5C also had a private wastewater treatment plant. Water will be available to the property via the proposed 5 ft. servitude.
Suitability of site for proposed development	Yes	The size and orientation of the lots is suitable for residential development.
Compatibility of development with existing and planned land use pattern	Yes	The proposed lot configuration is compatible with other development in the area.
Compatibility of development with neighborhood norm	N/A	
Consistent with adopted design for lots and blocks	Yes	The proposed subdivision creates adequately configured building sites suitable for residential development.
Adequate rights-of-way and servitudes provided, and consistent with adopted plans	Yes	The proposed lots are accessible to Lepine St., which is a private street.
Adequate traffic impact mitigation in accordance with Traffic Impact Analysis (TIA), if required	N/A	Not applicable

Table 3: Major subdivision review criteria for preliminary/final plats [Section 33-2.32]		
Criteria	Compliance	
	Yes No	Comments
Consistent with applicable Concept Plan	N/A	Not applicable
Consistent with approved Preliminary Plat	N/A	Not applicable
LURTC process complete	Yes	No objections from the Parish departments

Table 4: Block and lot standards [Sections 33-6.5 and 33-6.6]		
Standards	Compliance	
	Yes No	Comments
Adequate Building Sites	Yes	The proposed lot area and orientation result in adequate building sites.
No Unusable Remnants Created	Yes	No unusable remnants are proposed.
Block Depth	Yes	No change in block depth is proposed.
Block Length	Yes	No change in block length is proposed
Lot Area	Yes	The proposed lot areas meet requirements for lots in U-1R
Lot Arrangement	Yes	The linear lot arrangement is consistent with others in the area.
Lot Frontage	No	The proposed lots do not have frontage on a public street or one developed to Parish standards.
Lot Lines	Yes	The proposed lots have side lot lines at right angles to straight street lines.
Lot Orientation	No	The proposed lots have front lines abutting a private street, not a public right-of-way. The rear lot lines abut the side of Part of Lot 4.

Table 5: Subdivision waiver required findings [Section 33-2.35]		
Standards	Compliance	
	Yes No	Comments
Property cannot be developed reasonably under the provisions of the Code	Yes	The replacement of the second residence is not permissible without the subdivision.
Waiver will not conflict with purposes of the Code (Sec. 33-1.4)	Yes	The proposal protects property values and rights by allowing reasonable development of the land.
Hardship does not apply to other properties in the Parish (i.e., size, shape, topography or other physical conditions)	Yes	The narrow, linear shape of the original tract restricts the proposed lot configuration.
Hardship does not exist because of conditions created by the owner or previous property owner	Yes	The original tract is narrow in depth due to physical constraints.
If applicant complies with the Code, will be unable to make reasonable use of property	Yes	As per the Code, only one residential dwelling may be constructed on a lot. The reconstruction of a second structure is not allowed without the subdivision.
Waiver will not confer any special privilege that is denied by the Code to other similarly situated and configured lands	Yes	Other similarly configured properties in the area are developed residentially, which is the intent of the applicant.
Granting waiver will not be contrary to public interest, adversely affect property values and property within vicinity, and will be in harmony with intent and purpose of the UDC	Yes	The waiver will not conflict with public health, safety or adversely affect property values.
Waiver is the minimum modification to the Code necessary to alleviate the hardship	Yes	The waiver will allow the property to return to its previous use.



Planning Department

Aerial

4948 Lepine St.

Subdivision of Part of Lots 5 and 6 into Lots 5C and 5D, Ackbar Plantation Subdivision, dedication of a 5 ft. water servitude
Waiver of Lot Frontage

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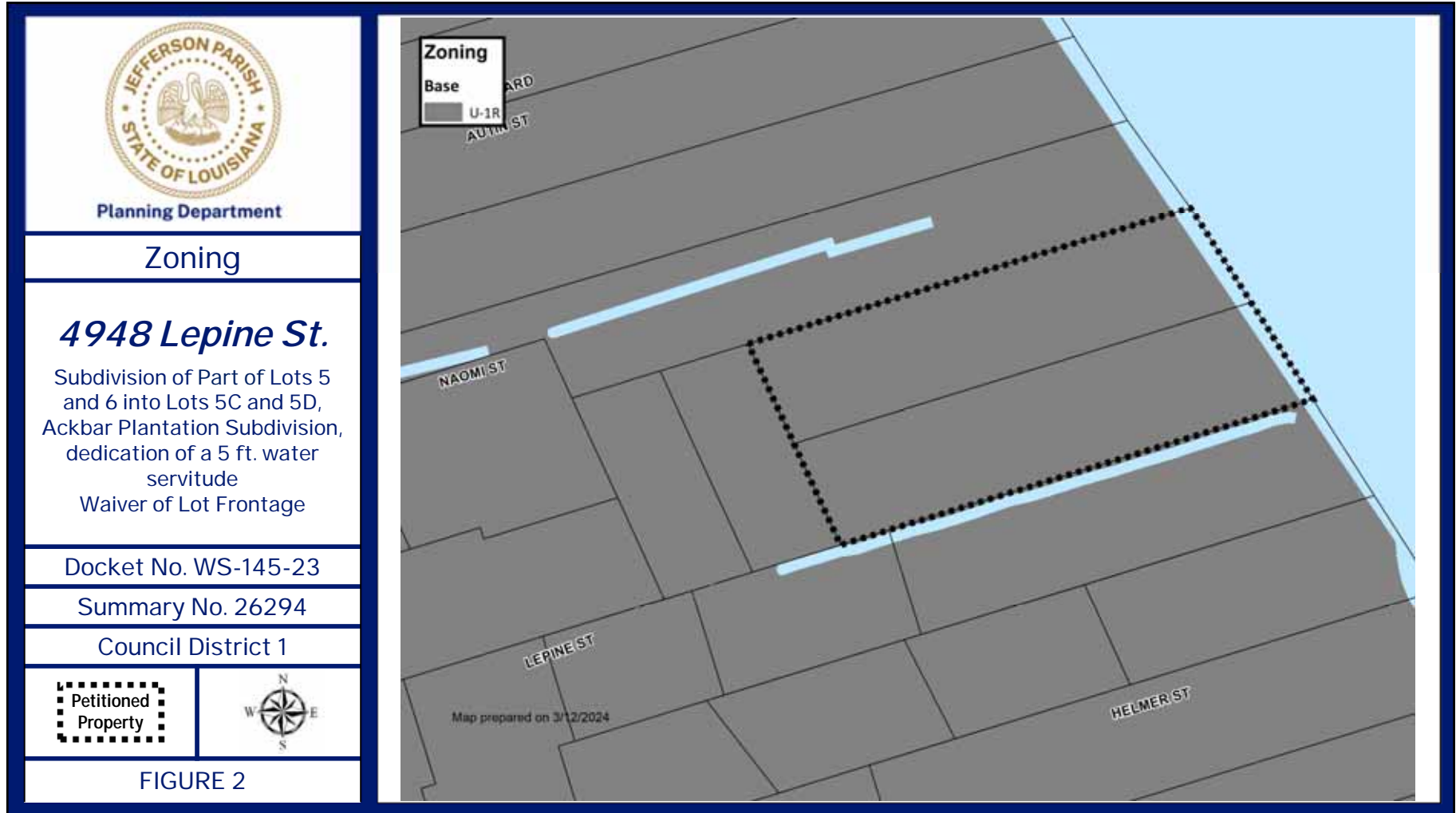
Council District 1



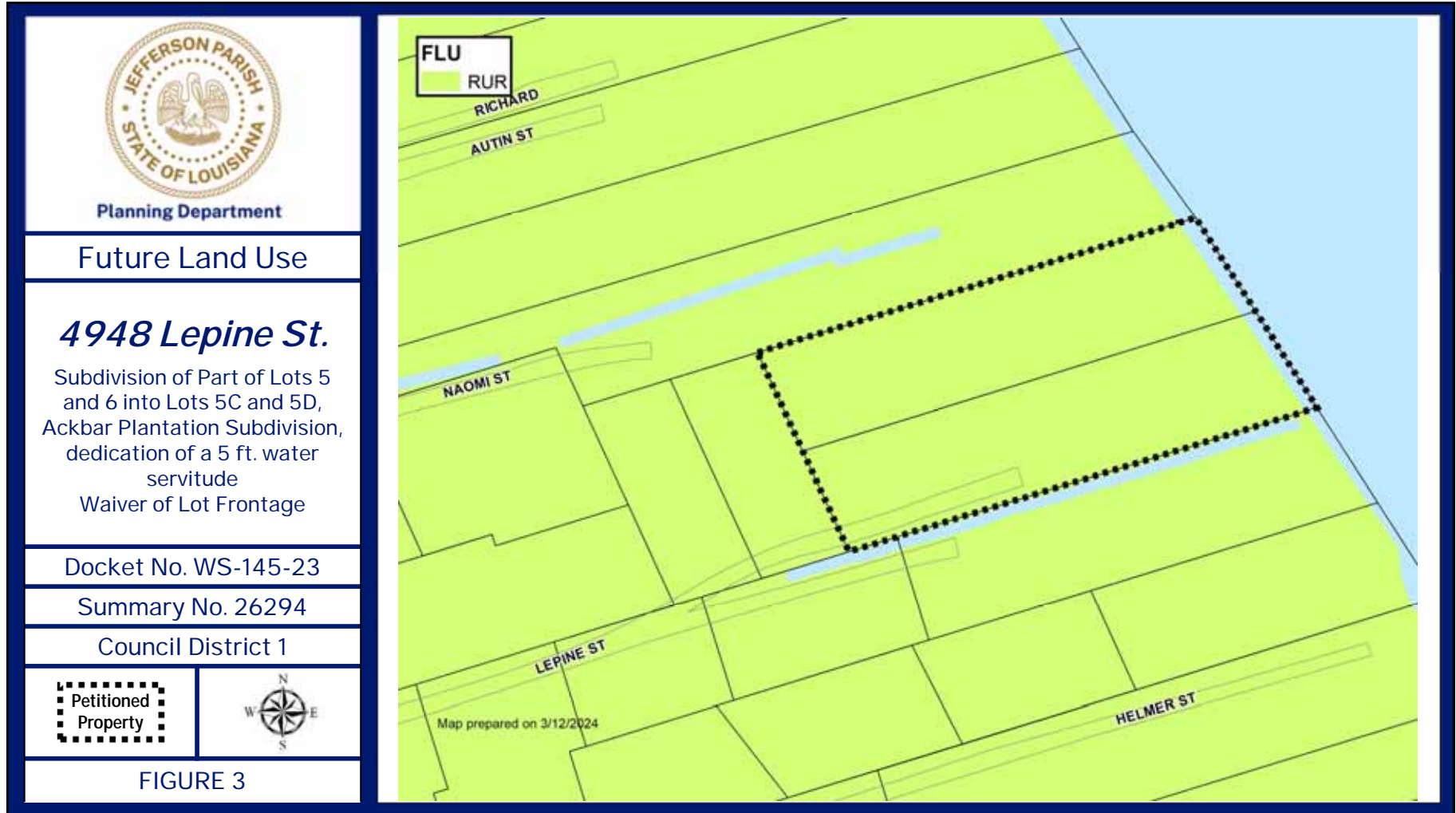
FIGURE 1



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Planning Department

Plat

4948 Lepine St.

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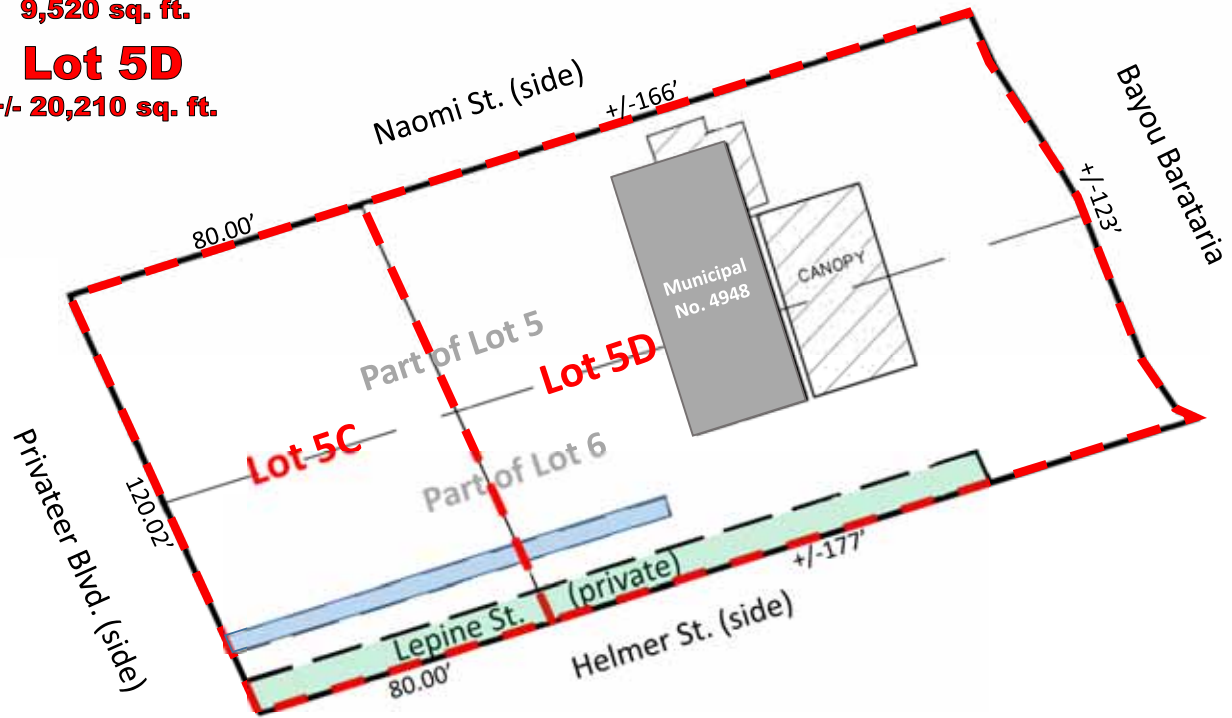
Summary No. 26294

Council District 1



FIGURE 4

Lot 5C
9,520 sq. ft.
Lot 5D
+/- 20,210 sq. ft.



- Proposed 5 ft. water servitude
- Existing 9 ft. access servitude in favor of Lot 7-G to remain

Waiver	
Regulation	Proposed
Sec. 33-6.6.1(d) Lot Standards requires that all lots front on a public street or private street improved to Parish standards	Lepine St. is private and is not improved to Parish standards

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