



Planning Department
Bessie L. Martin
Director

STAFF REPORT
Docket No. WS-171-23
Summary No.
Major Subdivision
South New Orleans Subdivision

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

Cynthia Lee Sheng
Parish President

504-736-6320 | Yenni Building, 1221 Elmwood Park Blvd, Ste 601, Jefferson, LA 70123 | jppanning@jeffparish.net

LOCATION (FIGURE 1)

2300 Broadway Ave.; bounded by Central Blvd., Victoria Ave., and 11th St.

OWNER: Antoinette Holmes

APPLICANT: Antoinette Holmes

COUNCIL DISTRICT: 3

PAB HEARING: 05/09/2024

LAST MEETING DATE FOR COUNCIL ACTION:
9/11/2024

ZONING (FIGURE 2)

R-1A Single-Family Residential District

FUTURE LAND USE (FIGURE 3)

MU Mixed-Use

REQUEST (FIGURE 4)

Existing Lot 1-A, Square 143, into Proposed Lots A-B-1 and X-Y-2, Square 143



West Bank Partial Vicinity Map

WAIVERS (FIGURE 4)

Waivers to the lot width and area requirements of the R-1A district

RECOMMENDATIONS

PLANNING DEPARTMENT:

Approval for the following reasons:

- The requested waiver meets the criteria for subdivision waivers of Sec. 33-2.35. and the 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 Unified Development Code (UDC).

- Although the request does not meet all the subdivision requirements, the waiver is necessary in order to have the existing driveway and parking space completely contained on one lot of record.

PLANNING ADVISORY BOARD: to be determined

CONSISTENCY WITH ENVISION JEFFERSON 2040

The proposed zoning change is consistent with the following objectives and goal of the comprehensive plan:

- Housing
 - Goal 1, Objective 1: Promote the renovation and revitalization of existing housing stock and residential neighborhoods.
- Land Use
 - Goal 2, Objective 1: Enhance the attractiveness of residential neighborhoods for existing and new residents.
 - Goal 2, Objective 6: Protect residential neighborhoods from incompatible development or redevelopment.

FINDINGS

BACKGROUND

1. The existing lot, Lot 1-A, is developed with a single-family residence and measures 100 ft. in width, 100 ft. in depth and 10,000 sq. ft. in area. The purpose of the request is to create two lots (X-Y-2 and A-B-1) and build a single-family dwelling on proposed Lot X-Y-2.
2. The Plan for South New Orleans Subdivision was approved in 1914. In 2003, Lot 1-A, Square 143, was created ministerially by combining Lots 1 through 4, Square 143, under Planning Docket MWS-167-03.
3. Sec. 33-2.31.2 of the Unified Development Code requires subdivisions resulting in lots that are below the minimum width, and area requirements of this code to be approved by the Jefferson Parish Council.

DIMENSIONAL STANDARDS (FIGURE 4)

4. The R-1A Single-Family Residential District requires a minimum width of 50 ft., depth of 100 ft., and area of 5,000 sq. ft. Proposed Lot A-B-1 exceeds these requirements with a width of 60 ft. and 6,000 sq. ft. in area. However, due to a need to accommodate the existing driveway and parking spot for the existing residence located at 2300 Broadway Ave. on Proposed Lot A-B-1, proposed Lot X-Y-2 will only have a 40 ft. width and 4,000 sq. ft. in area. These deficiencies require a waiver from the Parish Council.
5. Sec. 40-661 General requirements states “Required parking spaces for residential uses in all zoning districts shall be located on the same lot as the principal use.” If

proposed Lot X-Y-2 were platted to meet the 50' lot width minimum, the existing parking space would not comply because the lot line would bisect the existing driveway and parking space. The proposed subdivision ensures that the existing driveway apron and parking space will not cross the interior lot line.

6. Sec. 40-661 General requirements also limits parking in the required front yard, thus a new driveway for off-street parking that places the required parking wholly on proposed Lot A-B-1 would not comply with this portion of the General requirements Section of Chapter 40. Additionally, there is a drainage servitude along the 11th Street side of the property that restricts the property's ability to access the site via 11th street.
7. Sec. 40-94 states "On corner lots the side yard on the side of the lot abutting the side street shall not be less than ten (10) feet except an accessory building which is not part of the main building may locate as near as five (5) feet from the side of the lot abutting the side street provided the lot in the rear of the corner lot does not front the side street." The existing single-family dwelling sits 15 feet from the corner property line. Included in that 15 feet is a 5-foot wide drainage servitude dedicated to Jefferson Parish.
8. 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 the criteria; therefore, a waiver is requested.

WAIVERS (FIGURE 4)

9. Proposed Lot X-Y-2 will have a 40-foot width and will be 4,000 sq. ft. in area. The R-1A district requires a minimum width of 50 ft., and area of 5,000 sq. ft., thus the proposed lot requires waivers for both lot width and lot area.
10. The Unified Development Code has established a set of review criteria for subdivision waivers, which has been applied to the proposed subdivision. The requested waivers comply with the criteria for subdivision waivers for the following reasons (Table 5):
 - The property cannot be reasonably developed without the waivers as the applicant has insufficient land to meet the minimum area requirements and is requesting the waivers to lot width and area in order to comply with the parking regulations of Sec.40-661.
 - Strict compliance with the provisions of the UDC will prevent the applicant from making reasonable use of the property as the intent is to build a second home and have both properties comply with parking regulations of Sec. 40-661. Strict compliance with the area provisions of the UDC would require the applicant/owner to request relief from the parking regulations.
 - The hardship for the property for which the waivers are requested is based on the property's location on a corner, which requires a larger yard setback; the existing drainage servitude; and the placement of the existing dwelling and its required parking.

- The granting of the waivers will not be contrary to public interest, adversely affect property values and property within vicinity, and is in harmony with the intent and purpose of the UDC.

DEPARTMENT COMMENTS

11. Building Permits Department was originally opposed to this resubdivision and commented that “Accessory structures cannot remain on proposed lot X-Y-2 without main structure (S/F residence). Note to be demolished.” However, the property owner has requested that the accessory structures remain to serve the new residence to be built on Proposed Lot X-Y-2. In furtherance of this request and to avoid a violation of the Code of Ordinances, the owner has signed an affidavit agreeing to obtain a building permit for the new residence on Proposed Lot X-Y-2 within 90 days of subdivision approval and acknowledging that, if the building permit is not obtained within 90 days of subdivision approval, the Parish will cite the property for a violation of the Code.
12. Building Permits has acknowledged the affidavit and removed their opposition.

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Public Works	Not Opposed	<p>WS-171-23 the Department of Public Works (on 3/6/2024) the revised survey shows the 5' sidewalk / utility servitude inside the property line on the Broadway Ave. street side. If an existing sewer house connection is not located/usable, the property owner will be responsible for installation and costs of any new sewer house connection(s) required. Please contact Engineering for more information on sewer house connection process at JPEngineering@jeffparish.net or (504) 736-6500. Note any future construction or additions may require additional comments and/or requirements.</p> <ol style="list-style-type: none"> 1. Drainage Department has no comment. 2. Parkways has no comment. 3. Sewer Dept. same as previous comments, otherwise no objections. 4. Streets Department has no objections. 5. Traffic Engineering Division has no further comments. 6. Utilities has no objection. Sewer / Water service connections may not be available to re-subdivided lots, and the property owner is responsible for new house / service connections. 7. Water Department has no objections. <p>Not Opposed</p>
Building Permits	Not Opposed	New s/f residence permit application will be submitted for lot X-Y-2 in 90 days per affidavit.

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Engineering-Site Plan	Not Opposed	<ol style="list-style-type: none"> The property owner is responsible for any damage to right of way improvements (including the existing sidewalks or driveways) during or after the construction of any new structure(s) or demolition of any existing structure(s). Any damage must be repaired, or improvements replaced in accordance to the Jefferson Parish Engineering standards. Any existing driveway apron for any new residential construction will not be permitted to remain and must be replaced to comply with those standards. Please contact the department of Engineering at (504) 349-5173 or (504) 736-6793 prior to beginning any sidewalk / driveway apron construction. Further comments will be made at the permit stage. Contact Site Plan Review at: (504) 349-5174 for more information and a complete list of requirements.
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	1-A	Broadway Ave.	100	100	10,000
Proposed	A-B-1	Broadway Ave.	60	100	6,000
Proposed	X-Y-2	Broadway Ave.	40	100	4,000

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

Criteria	Compliance	
	Yes No	Comments
Consistent with Comprehensive Plan	Yes	Request is consistent with Goal 1, Objective 1; and Goal 2, Objective 1; Goal 2, Objective 6
Consistent with existing or proposed zoning of property	No	Proposed X-Y-2 is deficient in width and area.
Availability of adequate facilities and services	Yes	Public facilities available per Public Works
Suitability of site for proposed development	Yes	The proposed lots should accommodate single-family development
Compatibility of development with existing and planned land use pattern	Yes	Proposed lots in keeping with single-family development pattern
Compatibility of development with neighborhood norm	N/A	
Development is within reasonable distance to public facilities and access	Yes	Public facilities available per Public Works
Consistent with adopted design for lots and blocks	No	Table 4
Adequate rights-of-way and servitudes provided, and consistent with adopted plans	Yes	No right-of-way proposed, servitude provided as requested by Public Works
Adequate traffic impact mitigation in accordance with Traffic Impact Analysis (TIA), if required	N/A	TIA was not required
Consistent with applicable Concept Plan	N/A	No concept plan for the site
Consistent with approved Preliminary Plat	N/A	Proposed subdivision is a Preliminary/Final plat

Table 3: Major subdivision review criteria for preliminary/final plats [Section 33-2.32]		
Criteria	Compliance	
	Yes No	Comments
LURTC process complete	Yes	Building Permits notes that the subdivision would result in a proposed lot having accessory structures without a single-family dwelling; however, the owner has signed an affidavit acknowledging their intent to obtain a building permit within 90 days of subdivision approval. .

Table 4: Block and lot standards [Sections 33-6.5 and 33-6.6]		
Standards	Compliance	
	Yes No	Comments
Adequate Building Sites	Yes	Although proposed Lot X-Y-2 is only 40' in width and 1,000 sq. ft. of area, a single-family dwelling can still be constructed. The 60-foot width of proposed Lot A-B-1 ensures the existing dwelling will comply with parking regulations.
No Unusable Remnants Created	Yes	No remnants created
Block Depth	N/A	Block depth is unchanged.
Block Length	N/A	Block length is unchanged.
Lot Area	No	Proposed Lot X-Y-2 is 4,000 sq. ft. in area instead of the required 5,000 sq. ft., and only 40 ft. wide, instead of the required 50 ft.
Lot Arrangement	Yes	Lots provide satisfactory building sites.
Lot Frontage	No	All lots front on a public street.

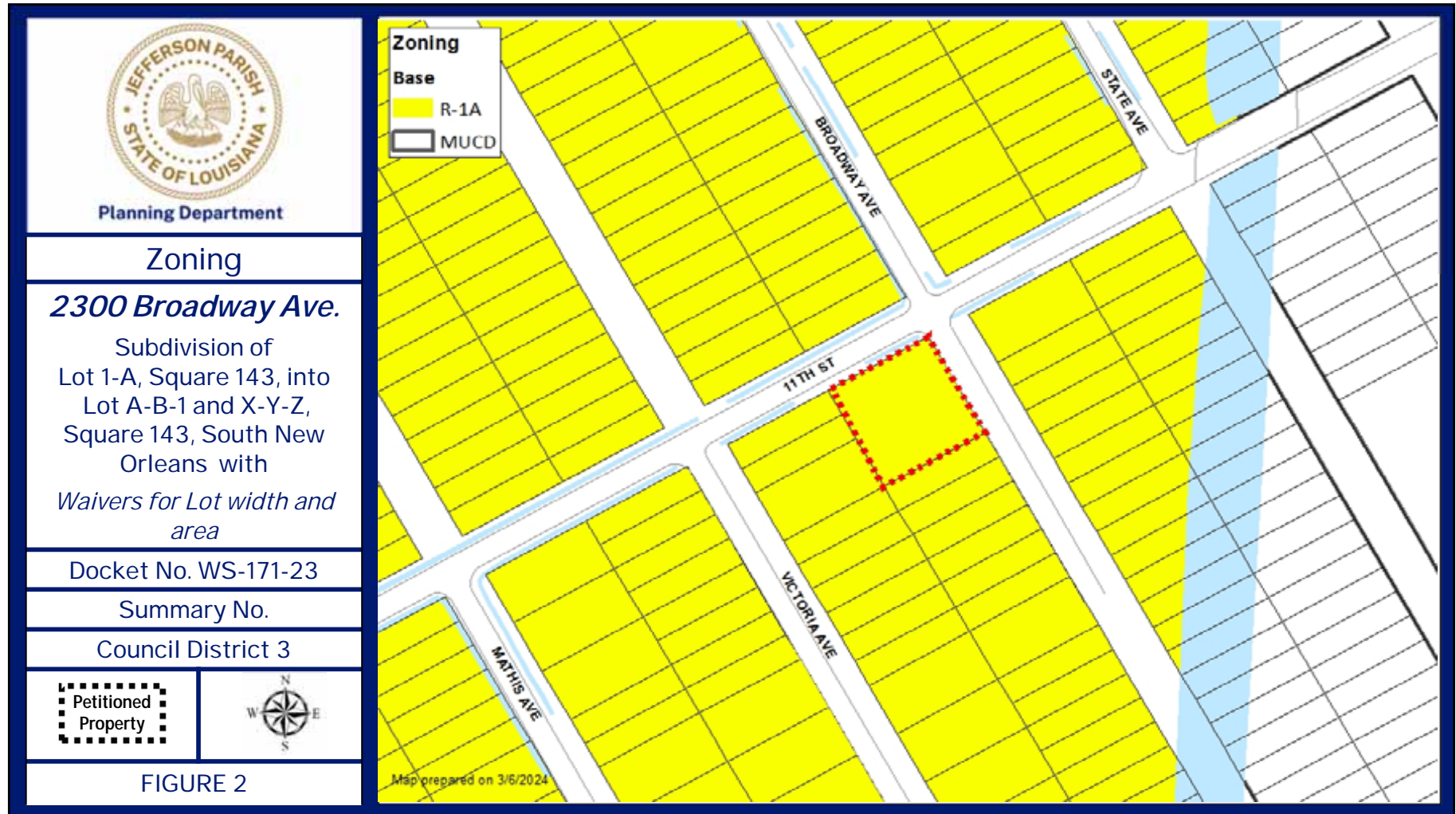
Table 4: Block and lot standards [Sections 33-6.5 and 33-6.6]		
Standards	Compliance	
	Yes No	Comments
Lot Lines	Yes	All lots are at 90-degree angles in relationship to Broadway Ave.
Lot Orientation	Yes	No change in lot orientation happens as a result of this request.

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 property cannot be reasonably developed without the waivers as the applicant has insufficient land to meet the minimum area requirements and is requesting the waivers to lot width and area in order to comply with the parking regulations of Sec.40-661.
Waiver will not conflict with purposes of the Code (Sec. 33-1.4)	Yes	Request is in keeping with protecting or enhancing property values
Hardship does not apply to other properties in the Parish (i.e., size, shape, topography or other physical conditions)	Yes	The hardship is the property's location on a corner, which requires a larger yard setback; the existing drainage servitude; and the placement of the existing dwelling and its required parking.
Hardship does not exist because of conditions created by the owner or previous property owner	Yes	The property's location on a corner and the drainage servitude are not conditions created by the property owner.

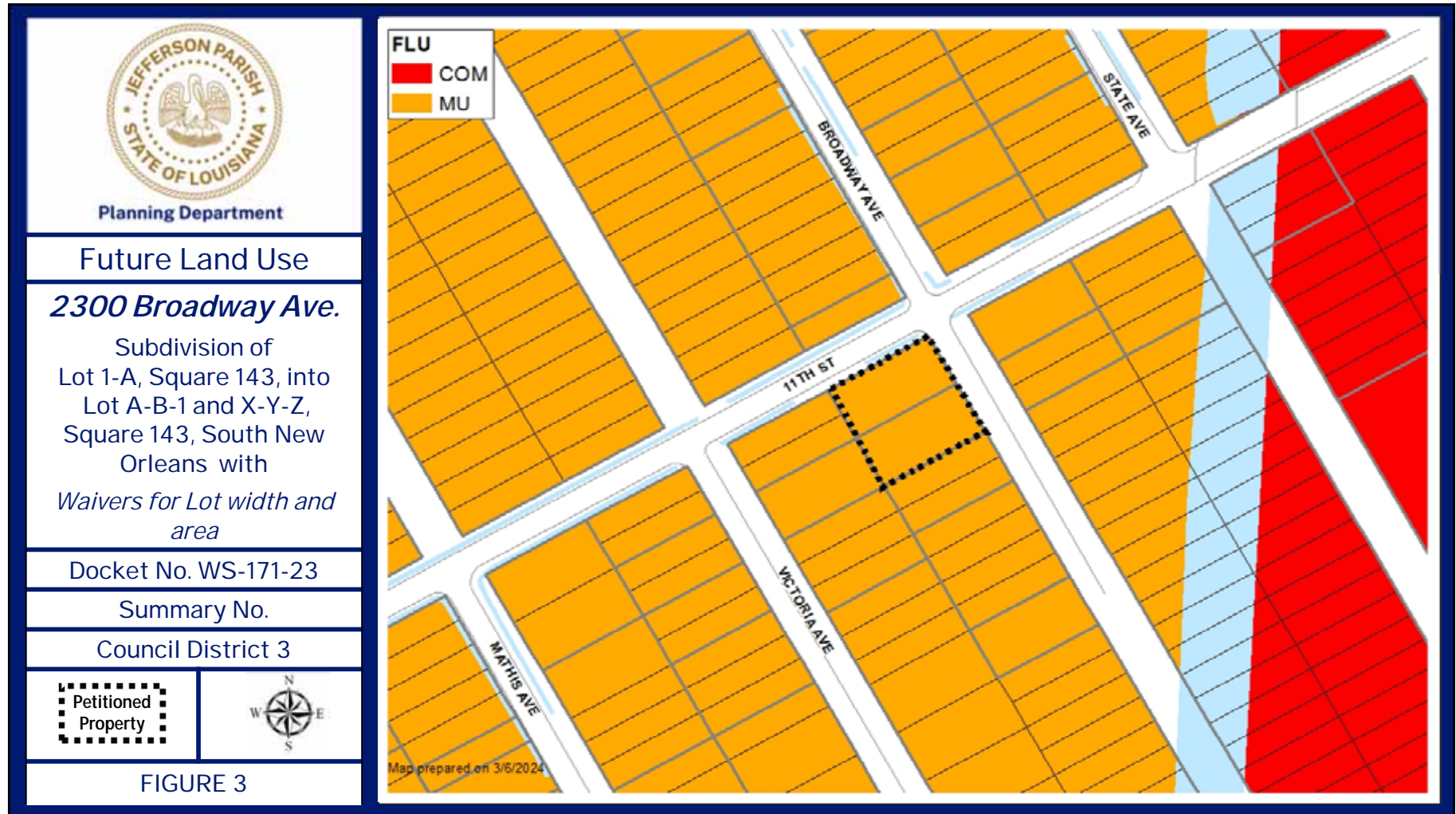
Table 5: Subdivision waiver required findings [Section 33-2.35]		
Standards	Compliance	
	Yes No	Comments
If applicant complies with the Code, will be unable to make reasonable use of property	Yes	Strict compliance with the provisions of the UDC will prevent the applicant from making reasonable use of the property as the intent is to build a second home and have both properties comply with parking regulations of Sec. 40-661. Strict compliance with the area provisions of the UDC would require the applicant/owner to request relief from the parking regulations.
Waiver will not confer any special privilege that is denied by the Code to other similarly situated and configured lands	Yes	The waivers do not grant any special privileges. The proposed lot will allow the construction of a single-family dwelling.
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	Granting the waivers allow the construction of a single-family dwelling which is in line with the properties in the vicinity and in harmony with the R-1A district.
Waiver is the minimum modification to the Code necessary to alleviate the hardship	Yes	The additional ten feet of width on proposed Lot A-B-1 is the minimum distance needed to meet parking regulations.



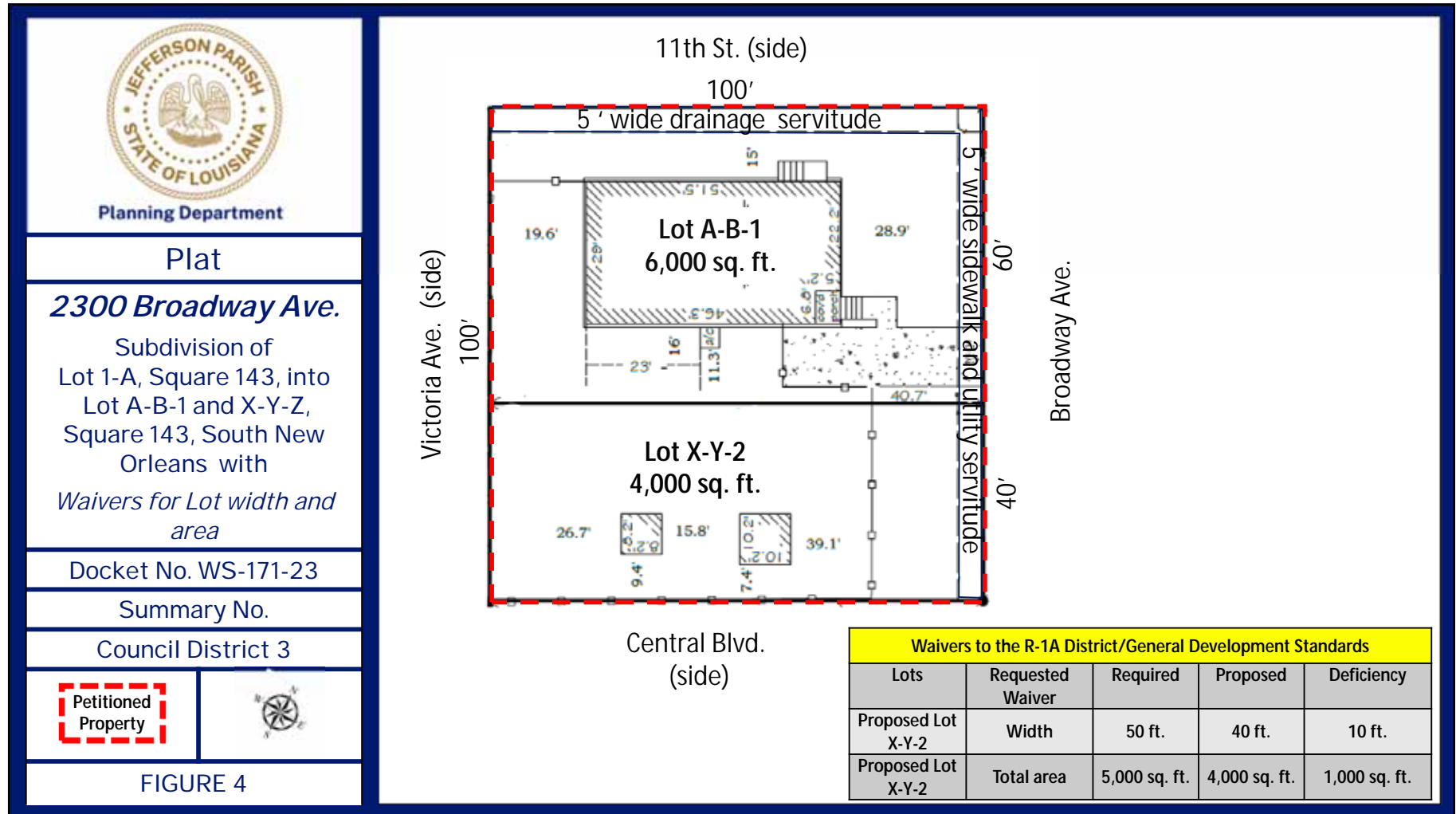
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