

**City Planning Commission Meeting – April 14, 2015**

**CONSIDERATION – SUBDIVISION DOCKET 018/15**

**Applicant: Bridget Karmona**

**Prepared By:** Nicholas Kindel

**Date:** April 1, 2015

**Deadline:** April 26, 2015

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**GENERAL INFORMATION**

**Proposal:** This is a proposal to subdivide Lots 85-A into Lots 85-A-1 and 85-A-2.

**Location:** The site is located on Square R West End Park in the Seventh Municipal District, bounded by New Orleans Hammond Highway, East Hazeur Line, Robert E. Lee Boulevard, and Regent Street. The municipal address is 415 New Orleans Hammond Highway. (PD 5)

**Zoning:** The site is located within a LRS-1 Lakeview Single-Family Residential District.

**Current**

**Land Use:** Lot 85-A is currently vacant.

**Proposed**

**Use:** The site is proposed to be two, single-family residential lots.

**Reason for**

**CPC Action:** Lot 85-A was created as part of a previous subdivision and measures 100 feet wide by 91.1.7<sup>1</sup> feet deep for a total area of 9,116 square feet.<sup>2</sup> The applicant is proposing to subdivide the property into Lots 85-A-1 and 85-A-2 each measuring 50 feet wide by 91.1.7 feet deep for a total area of 4,558 square feet.

The Subdivision Regulations require that all subdivisions that do not meet the requirements of the Comprehensive Zoning Ordinance be considered by the City Planning Commission. The Comprehensive Zoning Ordinance requires a minimum lot area of 5,000 square feet in the LRS-1 Lakeview Single-Family Residential District.<sup>3</sup> The lots have a proposed area of 4,558 square feet; since the lot area is deficient, action by the City Planning Commission is required.

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<sup>1</sup> Measures are shown in feet.inches.lines, with 12 inches per foot and 8 lines per inch.

<sup>2</sup> This lot was created as part of Subdivision Docket 091/12 which was approved on August 8, 2012.

<sup>3</sup> Per Article 9A, Section 9A.1.7 (Table 9A.A) of the *Comprehensive Zoning Ordinance*

## ANALYSIS

### Development in the Vicinity:

The site is located in the West End neighborhood, within a large LRS-1 Lakeview Area Single-Family Residential District generally bounded by the 17<sup>th</sup> Street Canal/Orleans Parish Line, NO Hammond Hwy/ Robert E. Lee Boulevard, Orleans Avenue, and City Park Avenue. The lots in the area measure on average 20-25 feet in width and 90-120 feet in depth. Two or three of these smaller lots are typically combined to make one development site, and developed parcels throughout the area ranges from 40-50 feet in width and 90-120 feet in depth. There are also a significant number of smaller lots that have been developed as party-wall doubles that are only 25 feet in width and 91 feet in depth.

At issue with the proposed subdivision is that it will create two lots that are deficient in lot area. To see if the proposed lot area for Lots 85-A-1 and 85-A-2 is consistent with the surrounding neighborhood, the staff reviewed the lot area of all of the properties in the LRS-1 District within approximately 300 feet of the subject property (see Table 1 below).

<b>Table 1: Lot Area of Parcels in the LRS-1 District within 300 feet of the Subject Property</b>			
<b>Address</b>	<b>Lot Area (sq. ft.)</b>	<b>Address</b>	<b>Lot Area (sq. ft.)</b>
<b>Proposed Lot 85-A-1</b>	<b>4,558</b>	<b>Proposed Lot 85-A-2</b>	<b>4,558</b>
309 NO Hammond Hwy	3,640	306 W Robert E Lee Blvd	3,640
321 NO Hammond Hwy	3,640	312 W Robert E Lee Blvd	5,460
323 NO Hammond Hwy	3,640	332 W Robert E Lee Blvd	2,730
363 NO Hammond Hwy	2,730	334 W Robert E Lee Blvd	2,730
365 NO Hammond Hwy	2,730	338 W Robert E Lee Blvd	4,641
387 NO Hammond Hwy	2,730	340 W Robert E Lee Blvd	5,096
389 NO Hammond Hwy	2,730	344 W Robert E Lee Blvd	5,250
403 NO Hammond Hwy	1,820	346 W Robert E Lee Blvd	5,750
405 NO Hammond Hwy	5,470	261 W Robert E Lee Blvd	4,860
415 NO Hammond Hwy	9,116	269 W Robert E Lee Blvd	4,620
429 NO Hammond Hwy	14,040	275 W Robert E Lee Blvd	4,860
501 NO Hammond Hwy	5,236	311 W Robert E Lee Blvd	7,500
320 NO Hammond Hwy	7,200	321 W Robert E Lee Blvd	7,500
324 NO Hammond Hwy	3,000	331 W Robert E Lee Blvd	7,500
400 NO Hammond Hwy	4,000	335 W Robert E Lee Blvd	7,500
408 NO Hammond Hwy	4,000	343 W Robert E Lee Blvd	8,333
410 NO Hammond Hwy	4,000	7023 Fleur De Lis Blvd	4,800
500 NO Hammond Hwy	4,800	7031 Fleur De Lis Blvd	4,200
504 NO Hammond Hwy	4,800	7012 Fleur De Lis Blvd	4,800
508 NO Hammond Hwy	4,800	7022 Fleur De Lis Blvd	4,800
260 W Robert E Lee Blvd	3,600	7026 Fleur De Lis Blvd	4,800
264 W Robert E Lee Blvd	1,800	7017 Roy St	4,800
266 W Robert E Lee Blvd	1,800	7023 Roy St	4,800
270 W Robert E Lee Blvd	3,640	7029 Roy St	4,800

278 W Robert E Lee Blvd	7,280	7035 Roy St	4,800
284 W Robert E Lee Blvd	<b>3,640</b>	7041 Roy St	4,800
300 W Robert E Lee Blvd	<b>3,640</b>	7022 Roy St	4,800
<b>Median</b>	<b>4,800</b>	<b>Average</b>	<b>4,809</b>
<b>Minimum</b>	<b>1,800</b>	<b>Maximum</b>	<b>14,040</b>

Of the 54 properties in the LRS-1 District within 300 feet of the subject property, the median lot area is 4,800 square feet and the average lot size is 4,809 square feet. The size of the proposed Lots 85-A-1 and 85-A-2 are 4,558 square feet, just shy of the typical lot area in the vicinity. In addition, 22 of the 54 lots in the area, or 41%, have a smaller lot area than what is proposed by the applicant. Therefore, the proposed lot areas for Lots 85-A-1 and 85-A-2 are consistent with the surrounding neighborhood.

### Utilities & Regulatory Agencies:

As part of the review process for subdivision proposals, the City Planning Commission staff requests responses from the Department of Property Management’s Division of Real Estate and Records, the Department of Public Works, the Department of Safety and Permits, the Sewerage and Water Board, and Entergy. The purpose of the reviews by these agencies is to determine whether the proposed subdivision would have any impact on the City’s infrastructure and whether it would comply with the City’s building code and other applicable regulations.

At the time of this report, the staff had received responses from three of the requested agencies: the Department of Safety and Permits, the Sewerage and Water Board, and the Division of Real Estate and Records. The Department of Safety and Permits and the Sewerage and Water Board reported no objection to the subdivision request. The Division of Real Estate and Record had exceptions due to the survey and ownership. The remaining reviewing agencies have thirty days to provide a written response to the City Planning Commission, after which time the Executive Director may consider that the agencies have approved the proposal.<sup>4</sup> In addition, the City Planning Commission has comments about the proposed lot names and addresses. To address the exceptions from the City Planning Commission and the Division of Real Estate and Records, the staff recommends the following provisos:

- The applicant shall revise the survey because the old lots (formerly Lots 85, 86, 87, 88, & 89) should be dotted.
- The applicant shall revise the subdivision letter of request to state the ownership as “The Succession of Alain Karmona by Brigitte Karmona – Independent Executrix to the Succession & Estate.”
- The applicant shall remove the punctuation marks from the proposed lot names and change Lots 85-A-1 and 85-A-2 to Lots 85A1 and 85A2.
- Once assigned by the Department of Safety and Permits, the applicant shall add the municipal addresses for the proposed lots to the survey.

<sup>4</sup> Article 4, Section 4.1.3 – Processing the Subdivision Request of the *Subdivision Regulations*.

**Comprehensive Zoning Ordinance Compliance:**

LOT SIZE

**Existing Lot:** The dimensions of the existing lot are presented in the table below.

Lot designation	Lot Width	Lot Depth	Area (sq.ft.)
85-A	100.0.0	91.1.7	9,116

**Proposed Lots:** The dimensions of the proposed lots are presented in the table below.

Lot designation	Lot Width	Lot Depth	Area (sq.ft.)
85-A-1	50.0.0	91.1.7	4,558
85-A-2	50.0.0	91.1.7	4,558

In the LRS-1 Lakeview Single-Family Residential District, the minimum lot requirements are presented in the table below.

Lot Width	Lot Depth	Lot Area (sq.ft.)
40.0.0	90.0.0	5,000

The current lot meets all of the lot dimensions and area requirements. The two proposed lots will meet the minimum width and depth requirement but will not meet the lot area requirement of 5,000 square feet. The proposed lots will have an area of 4,558 square feet each, which is deficient in the required lot area by 442 square feet each. The proposed lot size is typical for the area as the average lot size for properties within 300 feet of this lot is 4,800 square feet and 41% of the lots are smaller than what is proposed by the application. If the subdivision is approved, the applicant will be required to get a waiver for the Board of Zoning Adjustments for this deficient lot area. Should the request be recommended for approval, it shall be subject to the following provisos:

- The applicant shall obtain a waiver from the Board of Zoning Adjustment for insufficient lot area as required by **Article 9A, Section 9A.1.7 (Table 9A.A)** for the proposed Lots 85-A-1 and 85-A-2 (required 5,000 square feet, provided 4,558 feet, waiver of 442 square feet per lot).

**Master Plan Compliance:**

A land use action is consistent with the *Plan for the 21<sup>st</sup> Century: New Orleans 2030*, commonly known as the Master Plan, if it furthers, or at least does not interfere with, the goals, policies, and is compatible with the proposed future uses, densities, and intensities designated in the Land Use Element of the Plan. Chapter 14 of the Master Plan, the Land Use Plan, designates the future

land use of the petitioned site as “Residential Post-War Single-Family.” The goal, range of uses, and development character for that designation are provided below:

## **RESIDENTIAL POST-WAR SINGLE-FAMILY**

**Goal:** Preserve the existing character and scale of low density single-family residential in post-war (WWII) areas of the city and allow for compatible infill development.

**Range of Uses:** Single-family dwellings and supporting public recreational and community facilities allowed (e.g., schools and places of worship).

**Development Character:** New development will fit with the character and scale of surrounding neighborhoods where single- and two-family residential structures are typically set back away from the street on larger lots than in older, pre-war neighborhoods. Maximum density of 10 units/acre.

The applicant will be permitted to build a single-family residential structure on each lot. The proposed density will be less than maximum allowed density of 10 units per acre. The proposal meets the goal, range of uses, and development character of the Residential Post-War Single-Family future land use designation; therefore, the staff believes the proposal **is consistent with** the Master Plan.

### **Subdivision Regulations Compliance:**

**Article 5, Section 5.1.1 – Lot Size** of the *Subdivision Regulations* states that lots used for residential purposes should comply with lot size requirements of the Comprehensive Zoning Ordinance for the zoning district in which they are located. The proposals that do not meet stated standards must be submitted for consideration by the City Planning Commission.

The proposed resubdivision will result in both newly proposed lots, Lots 85-A-1 and Lot 85-A-2 being substandard as to lot area. They will each have a lot area of 4,558 square feet in lieu of the required 5,000 square feet in the LRS-1 District. However, the proposed lots sizes are similar in size as many other developed sites<sup>5</sup> within the immediate area. The median and average lot sizes within 300 feet for the subject property are 4,800 square feet and 4,809 square feet, respectively. The proposed resubdivision will not create lots that represent a variation to the established neighborhood standards and it will be well in keeping with the size of the existing development pattern in the immediate vicinity.

## **SUMMARY**

Subdivision Docket 018/15 is a request to subdivide one existing lot into two new lots with deficient lot area as stated by the *Comprehensive Zoning Ordinance*. The request meets the

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<sup>5</sup> This reference is related to development sites rather than lots, since a majority of development sites consist of two multiple lots.

requirements of the *Comprehensive Zoning Ordinance* except for the minimum lot area requirement of 5,000 square feet. The proposal would create two new lots that are 4,558 square feet with lot area deficiency of 442 square feet. For properties within 300 feet of the subject property, 41% are smaller than what is proposed by the applicant and their average lot size is 4,800 square feet. Therefore, the proposed lots would be typical in size for the area. The applicant will be required to get a lot size variance from the Board of Zoning Adjustments, address comments from the City Planning Commission and the Division of Real Estate and Records, and meet several other standard requirements for the approval of subdivisions.

### **PRELIMINARY STAFF RECOMMENDATION**<sup>6</sup>

The staff recommends **TENTATIVE APPROVAL** of Subdivision Docket 018/15, with final approval subject to eight (8) provisos:

1. The applicant shall revise the survey because the old lots (formerly Lots 85, 86, 87, 88, & 89) should be dotted.
2. The applicant shall revise the subdivision letter of request to state the ownership as “The Succession of Alain Karmona by Brigitte Karmona – Independent Executrix to the Succession & Estate.”
3. The applicant shall remove the punctuation marks from the proposed lot names and change Lots 85-A-1 and 85-A-2 to Lots 85A1 and 85A2.
4. Once assigned by the Department of Safety and Permits, the applicant shall add the municipal addresses for the proposed lots to the survey.
5. The applicant shall obtain a waiver from the Board of Zoning Adjustment for insufficient lot area as required by **Article 9A, Section 9A.1.7 (Table 9A.A)** for the proposed Lots 85-A-1 and 85-A-2 (required 5,000 square feet, provided 4,558 feet, waiver of 442 square feet per lot).
6. The applicant shall comply with any requirements deemed necessary by Department of Property Management’s Division of Real Estate and Records, the Department of Public Works, the Department of Safety and Permits, the Sewerage and Water Board, and Entergy.
7. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable), and tax certificates for the site.
8. The applicant shall submit a reproducible copy and two prints and a digital copy of the final subdivision survey in dwg, dxf, or ESRI compatible file format.

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<sup>6</sup> The preliminary staff recommendation is subject to modification by the City Planning Commission.

**REASONS FOR RECOMMENDATION**

1. The proposed lot size is typical for the area.
2. The proposed subdivision is consistent with the Master Plan.





