



Planning Department
Bessie L. Martin
Director

STAFF REPORT
Major Subdivision

Docket No. ES-116-20
Summary No.

PARISH COUNCIL
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B: Scott Walker
1: Marion F. Edwards
2: Deano Bonano
3: Byron Lee
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Subdivision: Colonial Farms Subdivision	Council District: 2
Location: 142 Sauve Rd.; bounded by Jefferson Hwy., Manguno Dr., & Sauve Oaks Ln. (Figure 1)	PAB Hearing: 03/24/2022 Deferred to 4/28/22
Owner: Investment Holdings LLC	Last Meeting Date for Council Action: 07/27/2022
Applicant: Tim Madden	

CURRENT ZONING/FUTURE LAND USE

Zoning: R-3 Multiple-Family Residential District/
CPZ Commercial Parkway Overlay Zone

FLU: SUB Suburban Residential



REQUEST

Subdivision of Lot 4-G, Colonial Farms Subdivision into Lots 4G1, 4G2, 4G3, 4G4, 4G5, 4G6, 4G7, & a 26-ft. roadway, and the dedication of a 12-ft. servitude as a preliminary/final plat with a development agreement; Colonial Farms Subdivision, with waivers to the area regulations of the proposed R-2 district, to lot arrangement standards, and to lot orientation standards.

RECOMMENDATIONS

Planning Department: Deferral for the following reasons:

- The applicant submitted a revised subdivision plat to the Planning Department on April 14, 2022 that is currently under LURTC review. The new layout features five lots as opposed to the seven originally proposed. As a result of this revision, the Planning Department is requesting a deferral until the May 26, 2022 PAB public hearing to allow for a sufficient review period.

Planning Advisory Board: Deferral to the 04/28/2022 PAB public hearing (see PAB minutes).

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposal is inconsistent with the following goals of the Land Use element:

- Goal 1: “The development and redevelopment of land, buildings, and structures is orderly and well-planned.”
- Goal 3: “New development and redevelopment are compatible with established residential, commercial, or industrial areas.”

FINDINGS

1. The purpose of this requested subdivision is to create seven lots of record and a 26-ft. substandard roadway from one existing lot of record. The proposal also includes the dedication of a 12-ft. servitude (Figure 2).
2. The petitioned property is currently zoned R-3 Multiple-Family Residential District (Figure 3). The applicant submitted a concurrent rezoning application under Planning Department Docket No. EZ-14-20 to rezone the site from R-3 to R-2 Two-Family Residential District (Figure 4).
3. Per Sec. 40-204, the R-2 district requires lots occupied by single-family dwellings to contain an area of not less than 4,000 sq. ft., a width of not less than 40 ft. and a depth of not less than 75 ft. Lots occupied by two-family dwellings must contain an area of not less than 2,500 sq. ft. per family. All of the proposed lots fall below the 5,000-sq.-ft. threshold for a two-family dwelling, but exceed the size requirements for single-family dwellings. Per the submitted application, the applicant intends to develop the proposed lots with single-family dwellings.

WAIVERS

4. The Traffic Engineering division is requiring a 50-ft. right-of-way and cul-de-sac at the end of the street. The proposed roadway does not meet Parish standards:
 - Per Sec. 33-7.5.2.c.2, local streets shall have a minimum right-of-way of at least fifty (50) feet in width and shall be paved for a width of twenty-six (26) feet, measured from back of curb to back of curb. A right-of-way of 50 ft. is not provided.
 - Per Sec. 33-7.5.2.h, every lot shall have approved access to a public right-of-way or private street designed in conformance with the Jefferson Parish Subdivision Public Improvements Standards Manual.
 - Per Sec. 33-7.5.2.j, permanent dead-end streets are prohibited.
 - Per Sec. 33-10.2, a *cul-de-sac* is defined as “a minor street which by design is not intended to be a through street and has but one end open for vehicular traffic with the other end permanently terminated by a circular turning area for reversing the direction of vehicular traffic.”
 - As the turning area of the proposed subdivision resembles a lowercase “t”, it is not considered a cul-de-sac, and thus does not meet the requirements of Traffic Engineering. Additionally, it is not privy to design standards afforded to true cul-de-sacs.
5. The subdivision, as proposed, requires waivers to the area regulations of the proposed R-2 district, to lot arrangement standards, and to lot orientation standards (Table 2):
 - A five-ft. strip is proposed along the left side of Proposed Lot 4G4 from the rear of the lot all the way to Sauve Rd. Due to the 5-ft. strip, Proposed Lot 4G4 is deficient in 40-ft. width requirement for single-family dwellings in the proposed R-2 district,

as the strip is included in the calculation of the lot's average width. As such, the average width of Proposed Lot 4G4 is 23.36 ft. necessitating a waiver of 16.64 ft.

- Per Sec. 33-6.6.1.c, the lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development. Proposed Lot 4G4 does not meet this requirement with the five-ft. strip running to Sauve Rd., thus necessitating a waiver to the lot arrangement standards. The Planning Department advised the applicant in LURTC that an alternate layout could be provided that would allow the five-ft. by 130.77-ft. portion of Proposed Lot 4G4 to be utilized in a more practical and functional way.
 - Per Sec. 33-6.6.2.f, through lots shall be prohibited in residentially zoned areas, except when the rear of the lot abuts an arterial street and no access to that street is allowed. Proposed Lots 4G1, 4G2, and 4G3 are oriented as through lots in a residential district with frontage on both the proposed 26-ft. roadway and on Sauve Rd., which is classified as a collector street. As such, these proposed lots do not meet the exception found in Sec. 33-6.6.2.f and a lot orientation waiver is required.
6. The requested waivers are incompatible with Goal 1 and Goal 3 of the Land Use Element as approval would create lots that are inconsistent with the development pattern of the neighborhood. Furthermore, no hardship exists, as the site is undeveloped and proposed lot arrangement can be reconfigured to meet requirements to a greater extent. As such, the requested waivers do not meet the required findings for granting waivers pursuant to Sec. 33-2.35.
7. Per Sec. 33-7.5.7, Access standards, substandard access may be granted as a subdivision waiver subject to the following findings:
- Conditions or circumstances exist which limit the strict application of the requirements of this UDC, including the lack of a secondary access to another public street, the inability to use joint access, and the lack of engineering or construction solutions that can be applied to mitigate the condition;
 - No conditions or circumstances exist which limit the strict application of the requirements of this UDC. The owner is requesting to create substandard access despite having sufficient land to provide adequate access in line with the standards of the UDC in order to create additional lots which are not in compliance with the existing development pattern.
 - The proposed access will not result in undue delay or congestion or be detrimental to the safety of motoring public using the roadway; and
 - The proposed access will be detrimental to the safety of the public by virtue of the substandard nature of the access.
 - The limiting access will create an exceptional and undue hardship on the applicant and that the permit issued will allow a reasonable use of the property.
 - The petitioned property does not have limited access, but fronts on Sauve Rd. which is a fully developed and compliant street. The owner is requesting to remove the existing, compliant access to create substandard access in order to create additional lots not in compliance with the existing development pattern.

DEVELOPMENT AGREEMENT

8. The proposed lots lack water, sewer, drainage, and a street, all of which need to be extended from Sauve Rd. Sec. 33-7.1.1 states that land shall not be approved for development unless adequate public facilities exist or a provision has been made for such facilities. The owner has agreed to execute a development agreement with Jefferson Parish to provide the required public facilities, which must be built to parish standards.
9. Per Sec. 33-2.40, the purpose of a development agreement is "...to ensure completion of public improvements and facilities, to assign responsibility for construction and funding of on and off-site improvements, to provide assurances to the applicant that the development may proceed under the terms of the development agreement, and to document all agreements between the parish and the applicant relating to a development."
10. Per Chapter 33 Division 4. - Development Agreements, the applicant must provide a performance bond, trust agreement, letter of credit, cash escrow, or surety bond shall be in an amount estimated by the public works director as reflecting one-hundred ten (110) percent of the cost of the improvements in the approved construction plan or site plan as calculated using prevailing wage rates, and shall be sufficient to cover all promises and conditions contained in the development agreement. On March 4, 2022, Public Works provided a cost estimate of \$213,112.25 for the public utilities required for the proposed subdivision. The Planning Director has notified the applicant that the owner has to provide 110% security of this amount, approximately \$234,423.48, in the form of a performance bond, trust agreement, letter of credit, cash escrow, or surety bond as part of the development agreement. The security will not have to be provided until the plans and development agreement are ready to be heard by the Council.
11. The proposed subdivision is grossly out of character with the existing residential development pattern along Sauve Rd. The development pattern in this area is virtually all single-family residential dwellings on large, deep lots.

OUTSTANDING LURTC

12. There are unresolved issues in the LURTC review:
 - Public Works is opposed in LURTC to the proposed subdivision. Public Works is requiring a revised subdivision plat showing the text added "26' private driveway, access and utility servitude in favor of lots 4G4, 4G5, 4G6, 4G7" with leader lines.
 - The Traffic Engineering division is requiring a 50-ft. right-of-way and cul-de-sac at the end of the street.
 - Fire is opposed in LURTC, citing the National Fire Protection Association (NFPA) 1 Fire Code, 2015 Edition:
 - 18.2.3.1.1 Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.
 - 18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.
 - Planning has requested clarification to the purpose of Proposed Lot 4G4's five-ft. strip, and has required additional language be added to the plat specifically stating that "Access will be blocked from Sauve Rd. for Lots 4G1, 4G2, and 4G3."
13. The latest LURTC comments, including those listed above from Public Works, Fire, and Planning, were transmitted to the applicant on Thursday, January 20, 2022. The applicant

responded by e-mail on Monday, February 7, 2022 stating that they have reviewed the various comments and documents that the Planning Department provided, and that the owner is not able to make any further modifications to the proposed subdivision plat.

14. 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” (Table 4) and required findings for subdivision waivers (Table 5) have also been applied. The proposed subdivision does not comply with the criteria for preliminary and final plats, nor the required findings for subdivision waivers.

UPDATE for 4/28 Meeting

15. The applicant submitted a revised subdivision plat to the Planning Department on April 14, 2022 that is currently under LURTC review. The new layout features five lots as opposed to the seven originally proposed. As a result of this revision, the Planning Department is requesting a deferral until the May 26, 2022 PAB public hearing to allow for a sufficient review period.

DEPARTMENT COMMENTS (LURTC)

Table 1: Land Use Review Technical Committee (LURTC) Comments		
Department	Position	Comment/Stipulation
Parish Attorney	Not Opposed	We will defer to the other departments for comments.
Public Works	Opposed	ES-116-20 the Department of Public Works (on 01/14/2022) requires a revised survey showing the text added '26' private driveway, access and utility servitude in favor of lots 4G4, 4G5, 4G6, 4G7' with leader lines. The extension of all utilities, and plans submitted to the Jefferson Parish Engineering for approval before the permit stage. Streets Department has no objections. Traffic Engineering Division require 50ft Right Of Way and cul-de-sac at the end of the street. Parkways has no comment, no landscape plan submitted
ENG-Site Plan	Not Opposed	1) 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. 2) Further comments will be made at the permit stage. Contact Site Plan Review at: (504) 736-6397 for more information and a complete list of requirements.
Fire	Opposed	As per NFPA 1: 18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around. 18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 ft (6.1 m).

Table 1: Land Use Review Technical Committee (LURTC) Comments

Department	Position	Comment/Stipulation
ICE-Building	Not Opposed	1. Application notes construction of single-family residences. Single Family residences are not permitted in R3 zoning district. Approval of sister case EZ-14-20 would allow S/F residences. 2. Section 40-219 (c) and (d) insufficient lot width and depth on lots 4G2, 4G3, 4G6, and 4G7 3. Section 40-219 (d) insufficient lot width on lots 4G4 and 4G5.

TABLES

Table 2: Description of Lots

	Lot #	Primary Frontage	CPZ frontage	Avg. Width (ft.)	Avg. Depth (ft.)	Area (sq. ft.)
Existing	4-G	Sauve Rd.	N/A	165.39	235.66	37,703.81
Proposed	4G1	26-ft. Roadway*	N/A	51.97	104.77	5,270.15
Proposed	4G2	26-ft. Roadway*	N/A	40.97	104.77	4,006.76
Proposed	4G3	26-ft. Roadway*	N/A	41.18	104.83	4,028.35
Proposed	4G4	26-ft. Roadway	N/A	23.36**	122.19**	4,863.44
Proposed	4G5	26-ft. Roadway	N/A	41.82	104.77	4,230.74
Proposed	4G6	26-ft. Roadway	N/A	41.21	104.77	4,031.11
Proposed	4G7	26-ft. Roadway	N/A	41	104.83	4,009.81
Proposed	26-ft. Roadway	Sauve Rd.	N/A	***	***	7,263.45

*Through lots with secondary frontage on Sauve Rd.

**Irregular lot with five-ft. strip

***Irregular “L-shaped” roadway with lowercase “t” terminus

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

Criteria	Compliance	
	Yes No	Comments
Consistent with Comprehensive Plan	No	Incompatible with Goals 1 & 3 of the Land Use Element
Consistent with existing or proposed zoning of property	No	Waivers are required for area regulations of the proposed R-2 district, to lot arrangement standards, and to lot orientation standards.
Availability of adequate facilities and services	No	The owner has agreed to execute a development agreement with Jefferson Parish to provide the required public facilities, which must be built to parish standards.
Suitability of site for proposed development	No	Proposed subdivision is out of character with the existing residential development pattern.

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

Criteria	Compliance	
	Yes No	Comments
Compatibility of development with existing and planned land use pattern	No	Proposed lots are not compatible with the existing land use pattern.
Compatibility of development with neighborhood norm	N/A	
Development is within reasonable distance to public facilities and access	Yes	
Consistent with adopted design for lots and blocks	No	Waivers are required to lot arrangement standards and to lot orientation standards.
Adequate rights-of-way and servitudes provided, and consistent with adopted plans	No	Public Works is requiring a revised subdivision plat showing the text added "26' private driveway, access and utility servitude in favor of lots 4G4, 4G5, 4G6, 4G7" with leader lines. The Traffic Engineering division is requiring a 50-ft. right-of-way and cul-de-sac at the end of the street.
Adequate traffic impact mitigation in accordance with Traffic Impact Analysis (TIA), if required	N/A	
Consistent with applicable Concept Plan	N/A	
Consistent with approved Preliminary Plat	N/A	
LURTC process complete	Yes	Public Works and Fire are opposed. There are unaddressed comments from Planning.

Table 4: Block and lot standards [Sections 33-6.5 and 33-6.6]

Standards	Compliance	
	Yes No	Comments
Adequate Building Sites	No	Lot 4G4 is subject to waivers to the area regulations of the proposed R-2 district, to lot arrangement standards, and to lot orientation standards due to a five-ft. strip running from the lot's left side.
No Unusable Remnants Created	Yes	No unusable remnants created.
Block Depth	N/A	
Block Length	N/A	
Lot Area	No	Lot 4G4 is subject to waivers to the area regulations of the proposed R-2 district.

Table 4: Block and lot standards [Sections 33-6.5 and 33-6.6]

Standards	Compliance	
	Yes No	Comments
Lot Arrangement	No	Lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development. Proposed Lot 4G4 does not meet this requirement with the five-ft. strip running to Sauve Rd.
Lot Frontage	No	The proposed 26-ft. roadway does not meet Parish standards.
Lot Lines	No	Proposed Lot 4G4 is an unusual, odd-shaped lot with the five-ft. strip running to Sauve Rd.
Lot Orientation	No	With frontage on both the proposed 26-ft. roadway and on Sauve Rd., Proposed Lots 4G1, 4G2, and 4G3 are oriented as through lots in a residential district, which are prohibited.

Table 5: Subdivision waiver required findings [Section 33-2.35]

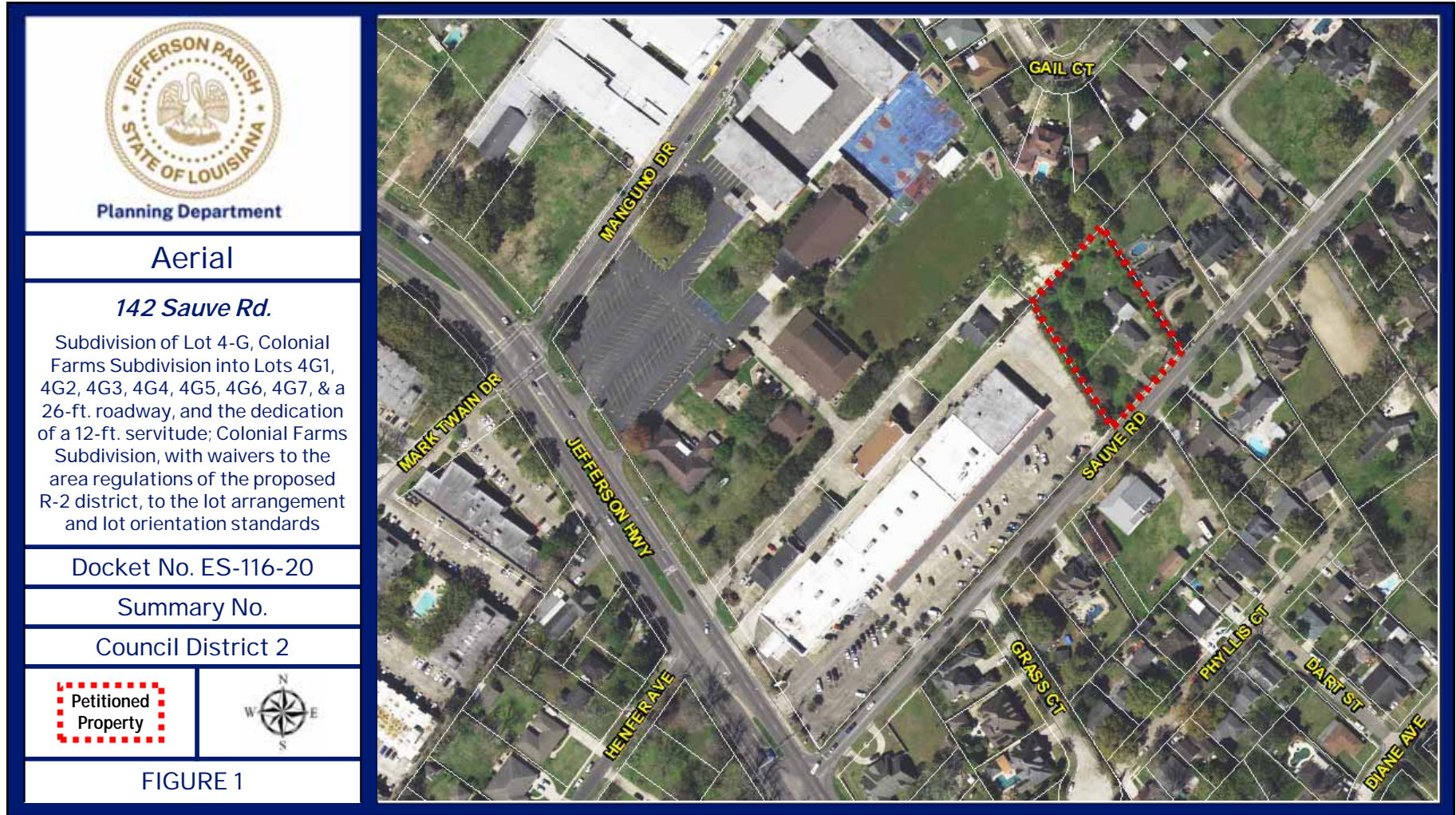
Standards	Compliance	
	Yes No	Comments
Property cannot be developed reasonably under the provisions of the Code	No	Property is undeveloped and could be reconfigured to be developed reasonably under the code.
Waiver will not conflict with purposes of the Code (Sec. 33-1.4)	No	The waivers are incompatible with Goals 1 & 3 of the Land Use Element. Approval would create lots that are inconsistent with the development pattern of the neighborhood.
Hardship does not apply to other properties in the Parish (i.e., size, shape, topography or other physical conditions)	No	No hardship exists, as site is undeveloped and can be reconfigured to meet applicable requirements to a greater extent.
Hardship does not exist because of conditions created by the owner or previous property owner		
If applicant complies with the Code, will be unable to make reasonable use of property	No	Property is undeveloped and could be reconfigured to be developed reasonably under the code.
Waiver will not confer any special privilege that is denied by the Code to other similarly situated and configured lands	No	The waiver would confer a special privilege as there are no similarly situated and configured lands.

Table 5: Subdivision waiver required findings [Section 33-2.35]

Standards	Compliance	
	Yes No	Comments
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	No	The waivers will result in a subdivision that is out of character with the existing residential development pattern.
Waiver is the minimum modification to the Code necessary to alleviate the hardship	No	No hardship exists.

Table 6: Requested Waivers to the R-2 district

Regulation	Proposed Lot No.	Required	Proposed	Deficiency
Sec. 40-204.b.1 Width requirement for a lot developed with a single-family residence in R-2	4G4	40 ft.	23.36 ft.	16.64 ft.
Sec. 33-6.6.1.c Lot Arrangement	4G4	The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development	Proposed Lot 4G4 does not meet this requirement with the five-ft. strip running to Sauve Rd.	N/A
Sec. 33-6.6.2. f Through Lots	4G1, 4G2, & 4G3	Through lots, or double-frontage lots shall be prohibited in residentially zoned areas, except when the rear of the lot abuts an arterial street and no access to that street is allowed.	Proposed Lots 4G1, 4G2, and 4G3 are oriented as through lots with frontage on both the proposed 26-ft. roadway and on Sauve Rd., which is classified as a collector street	N/A



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Planning Department

Plat & Variance Request

142 Sauve Rd.

Subdivision of Lot 4-G, Colonial Farms Subdivision into Lots 4G1, 4G2, 4G3, 4G4, 4G5, 4G6, 4G7, & a 26-ft. roadway, and the dedication of a 12-ft. servitude; Colonial Farms Subdivision, with waivers to the area regulations of the proposed R-2 district, to the lot arrangement and lot orientation standards

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Summary No.

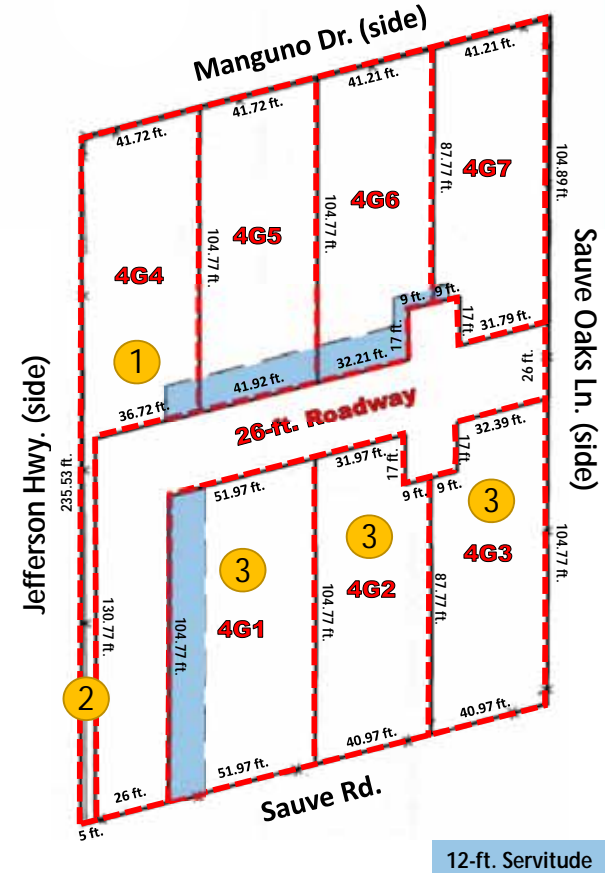
Council District 2



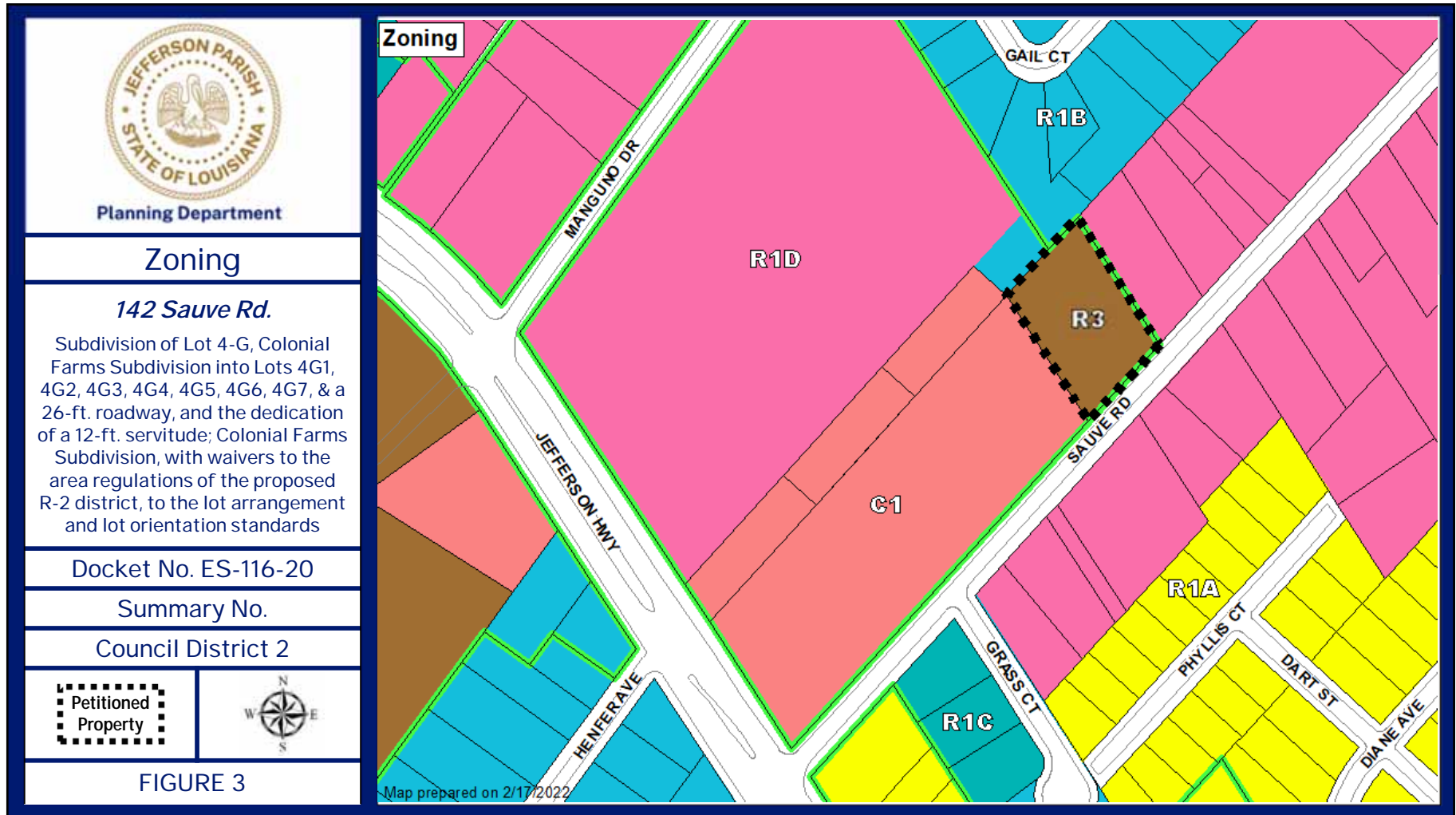
FIGURE 2

Waivers		
Regulation	Required	Proposed
1 Sec. 40-204.b.1	Min. 40-ft. width for lots occupied by single-family dwellings	Avg. width of approx. 23.36 ft. for Lot 4G4
2 Sec. 33-6.6.1.c	All lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development.	Lot 4G4 does not meet this requirement with the 5-ft. strip
3 Sec. 33-6.6.2.f	Through lots are prohibited in residentially zoned areas, except when the rear of the lot abuts an arterial street.	Lots 4G1, 4G2, & 4G3 are through lots in a residential district and abutting a collector.

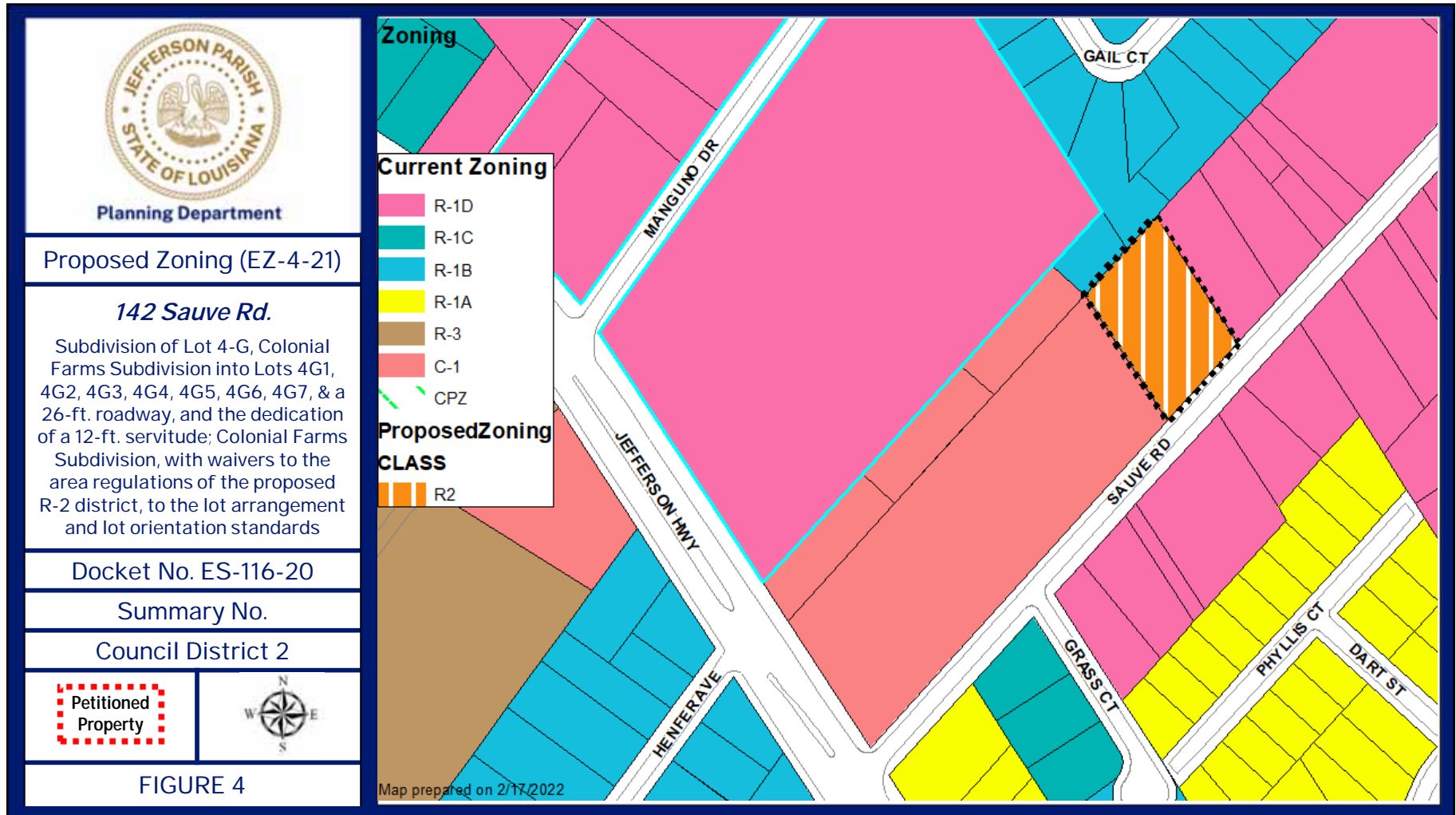
Lot Areas	
4G1	5,270.15 sq. ft.
4G2	4,006.76 sq. ft.
4G3	4,028.35 sq. ft.
4G4	4,863.44 sq. ft.
4G5	4,230.74 sq. ft.
4G6	4,031.11 sq. ft.
4G7	4,009.81 sq. ft.
26-ft. Roadway	7,263.45 sq. ft.



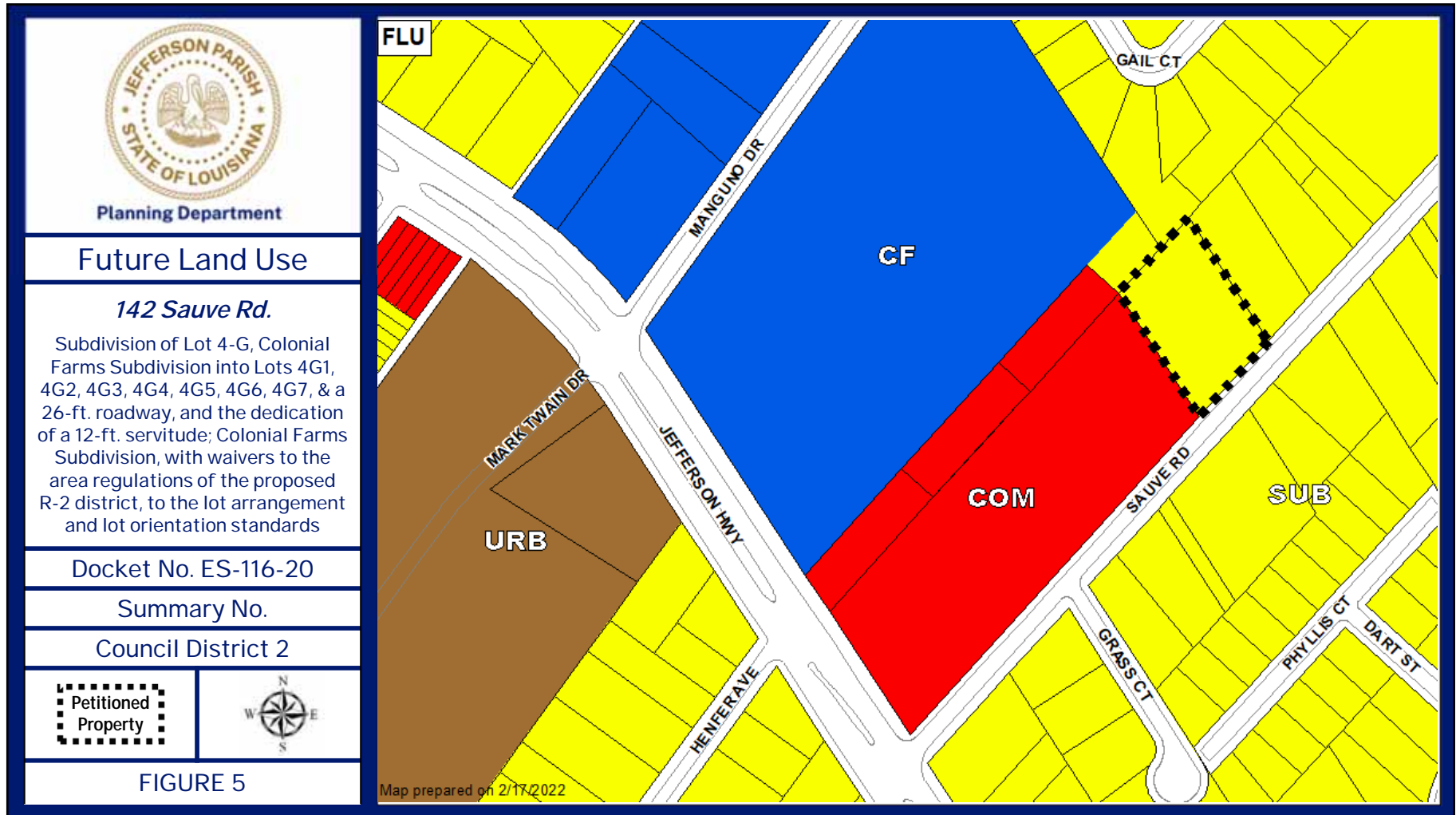
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