



# BOARD OF ZONING ADJUSTMENTS

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Final Agenda

September 12, 2016

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## **MEETING INFORMATION**

### Location

#### **City Council Chambers**

1<sup>st</sup> Floor, City Hall  
1300 Perdido Street  
New Orleans, Louisiana

### Time

10:00 a.m.

### Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

Michael K. Broussard

The general public cannot speak  
with the members personally.

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The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **September 22, 2016**.

### General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the Lucite box in the far wall in the Council Chambers. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

### Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

- A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules
- B. Election of Officers
- C. BZA Dockets – Former Comprehensive Zoning Ordinance<sup>1</sup> - Unfinished Business

**ITEM 1 – Docket Number: 157-15**

**WITHDRAWN**

**Applicant or Agent:** John F. Wheelock, Jr.  
**Property Location:** 2031 State Street **Zip:** 70118  
**Bounding Streets:** State St., Freret St., Richmond Pl., & Loyola Ave.  
**Former Zoning:** RS-2 Single Family Residential District  
**Current Zoning:** HU-RS Historic Urban Single-Family Residential District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single-Family Residence **Square Number:** LSS  
**Proposed Use:** Single-Family Residence **Lot Number:** B  
**Project Planner:** Danica Adams (dcadams@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.2.3, and Article 15, Section 15.6.6 of the former Comprehensive Zoning Ordinance (CZO).

**Request:** This request is to permit two (2) parking spaces in the front yard and excessive paving of the required front yard area. **(AFTER THE FACT)**

**Requested Waivers:**

**Section 15.2.3 – Parking in Front Yards**

Required: 0 Spaces      Provided: 2 Spaces      Waiver: 2 Spaces

**Section 15.6.6 – Limitation of Pavement of Required Front Yard Areas**

Required: ≤ 40%      Provided: 53% (563 sq. ft.)      Waiver: 13% (163 sq. ft.)



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<sup>1</sup> The former Comprehensive Zoning Ordinance (CZO) was rendered ineffective as of August 12, 2015 with the adoption of a new Comprehensive Zoning Ordinance (CZO), however complete building applications prior to the adoption of the new CZO require zoning review and regulation under the former CZO.

**D. BZA Dockets – Current Comprehensive Zoning Ordinance<sup>2</sup> - Unfinished Business**

**ITEM 2 – Docket Number: 044-16**

**Applicant or Agent:** The City Of New Orleans  
**Property Location:** 3950 Alvar Street **Zip:** 70126  
**Bounding Streets:** Alvar St., Chickasaw St., Desire Pkwy., Almonaster Ave.  
**Zoning District:** LI Light Industrial District  
**Historic District:** N/A **Planning District:** 7  
**Existing Use:** Vacant Lot **Square Number:** 31  
**Proposed Use:** Motor Vehicle Service & Repair, Minor **Lot Number:** T  
**Project Planner:** Tyler Antrup (tjantrup@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 16, Section 16.3.A.2 (a) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a motor vehicle repair facility with an excessive front yard setback.

**Requested Waiver:**

**Section 16.3.A.2 (a) – Front Yard Build To Line**

Permitted: 20' maximum      Provided: 128'      Waiver: 108'



**ITEM 3 – Docket Number: 047-16**

**Applicant or Agent:** Gebre E. Amare, Michael Tiffit  
**Property Location:** 1544 Gentilly Boulevard **Zip:** 70119  
**Bounding Streets:** Gentilly Blvd., Laharpe St., Paul Morphy St., Bayou Rd.  
**Zoning District:** HU-B1 Neighborhood Business District  
**Historic District:** Esplanade Ridge **Planning District:** 4  
**Existing Use:** Vacant Lot **Square Number:** 1530  
**Proposed Use:** Retail Goods Establishment **Lot Number:** X 6 & 7  
**Project Planner:** Nicholas Kindel (njkindel@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a retail goods establishment with insufficient rear yard depth. **(AFTER THE FACT)**

**Requested Waiver:**

**Section 12.3.A.1 (Table 12-2) – Rear Yard Setback**

Required: 15'      Provided: 5'-½"      Waiver: 9'-11 ½"



<sup>2</sup> The new Comprehensive Zoning Ordinance became effective August 12, 2015.

**E. BZA Dockets – Current Comprehensive Zoning Ordinance<sup>3</sup> - New Business****ITEM 4 – Docket Number: 060-16**

**Applicant or Agent:** New Orleans Redevelopment Fund 2, LLC  
**Property Location:** 2620-2622 Third Street **Zip:** 70113  
**Bounding Streets:** 3rd St., Magnolia St., 4th St., S. Robertson St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 2  
**Existing Use:** Vacant Lot **Square Number:** 366  
**Proposed Use:** Two-Family Residence **Existing Lot:** Undesignated  
**Project Planner:** Tyler Antrup (tjantrup@nola.gov) **Proposed Lot:** 17A

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

**Request:** This request is in conjunction with Subdivision Docket 047/16 to permit the creation of a lot with insufficient minimum lot area per dwelling unit and construction of a two-family residence.

**Requested Waiver:****Section 11.3.A.1 (Table 11-2A) – Minimum Lot Area**

Required: 1,800 sq. ft./du      Provided: 959.49 sq. ft./du      Waiver: 840.52 sq. ft. /du

**ITEM 5 – Docket Number: 061-16**

**Applicant or Agent:** New Orleans Redevelopment Fund 2, LLC  
**Property Location:** 2624-2626 Third Street **Zip:** 70113  
**Bounding Streets:** 3rd St., Magnolia St., 4th St., S. Robertson St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 2  
**Existing Use:** Vacant Two Family Residence **Square Number:** 366  
**Proposed Use:** Two-Family Residence **Existing Lot:** Undesignated  
**Project Planner:** Tyler Antrup (tjantrup@nola.gov) **Proposed Lot:** 18A

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

**Request:** This request is in conjunction with a subdivision to allow the creation of a lot with insufficient area per dwelling unit for the renovation of an existing vacant two-family residence.

**Requested Waiver:****Section 11.3.A.1 (Table 11-2A) – Minimum Lot Area**

Required: 1,800 sq. ft./du      Provided: 982.66 sq. ft./du      Waiver: 817.33 sq. ft./du



<sup>3</sup> The new Comprehensive Zoning Ordinance became effective August 12, 2015.

**ITEM 6 – Docket Number: 062-16**

**Applicant or Agent:** 226 Decatur LLC  
**Property Location:** 226 Decatur Street **Zip:** 70130  
**Bounding Streets:** Decatur St., Iberville St., Clinton St., Bienville St.  
**Zoning District:** VCE-1 Vieux Carré Entertainment District  
**Historic District:** Vieux Carré **Planning District:** 1b  
**Existing Use:** Vacant Commercial Structure **Square Number:** 7  
**Proposed Use:** Multi-Family and Commercial **Lot Number:** 2  
**Project Planner:** Brittany B. DesRocher (bbdesrocher@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 10, Section 10.5.A of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the renovation of an existing building into a six-family dwelling with insufficient minimum lot area per dwelling unit.

**Requested Waiver:****Section 10.5.A –Residential Conversions Minimum Dwelling Unit Size**

Required: 400 sq. ft./du      Provided: 336 sq. ft./du      Waiver: 64 sq. ft./du

**ITEM 7 – Docket Number: 063-16**

**Applicant or Agent:** General Degaulle Drive Algiers Healthcare  
**Property Location:** 2908 General De Gaulle Drive **Zip:** 70114  
**Bounding Streets:** General De Gaulle Dr., Sandra Dr., Life Center Blvd.  
**Zoning District:** C-2 Auto-Oriented Commercial District  
**Historic District:** N/A **Planning District:** 12  
**Existing Use:** Vacant Lot **Square Number:** 23  
**Proposed Use:** Medical/Dental Clinic **Lot Number:** N5  
**Project Planner:** Cameron Bonnett (cdbonnett@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.3.A.2 (a) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a medical clinic with an excessive front yard setback.

**Requested Waivers:****Section 15.3.A.2 (a) – Front Yard Build-to Line Requirement**

Required: 20 ft.      Provided: 34 ft.      Waiver: 14 ft.



**ITEM 8 – Docket Number: 064-16**

**Applicant or Agent:** Aaron R. Dare  
**Property Location:** 965 Harding Drive **Zip:** 70119  
**Bounding Streets:** Harding Dr., Delgado Dr., Wilson Dr., Dumaine St.  
**Zoning District:** HU-RD1 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Single-Family Residence **Square Number:** D  
**Proposed Use:** Two-Family Residence **Lot Number:** 30, 31  
**Project Planner:** Stosh Kozlowski (sakozlowski@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 22, Section 22.4.A of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the conversion of a two-family residence with insufficient off street parking.

**Requested Waiver:**

**Section 22.4.A (Table 22-1) – Required Off-Street Vehicle Parking Spaces**

Required: 2                      Proposed: 1                      Waiver: 1



**ITEM 9 – Docket Number: 065-16**

**Applicant or Agent:** Christopher E. Johnson, Bianca M. Davis  
**Property Location:** 3327 Live Oak Street **Zip:** 70118  
**Bounding Streets:** Live Oak St., Forshey St., Cherry St., Olive St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Vacant Lot **Square Number:** 518  
**Proposed Use:** Two-Family Residence **Lot Number:** L  
**Project Planner:** Brooke Perry (btperry@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a two-family residence with an insufficient front yard depth and insufficient off-street parking.

**Requested Waiver:**

**Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking Requirements**

Required: 2                      Provided: 1                      Waiver: 1



**ITEM 10 – Docket Number: 066-16**

**Applicant or Agent:** RLH Investments  
**Property Location:** 1132 Jena Street – 4510 Coliseum St.      **Zip:** 70115  
**Bounding Streets:** Jena St., Coliseum St., Cadiz St., Chestnut St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** N/A      **Planning District:** 3  
**Existing Use:** Single-Family Residence      **Square Number:** 291  
**Proposed Use:** Two-Family Residence      **Lot Number:** 9A  
**Project Planner:** Sabine Lebailleux (selebailleux@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 and Article 22, Section 22.8.B.1.b of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a two-family residence with insufficient rear yard setback and with off-street parking in the required front yard (**AFTER THE FACT**).

**Requested Waivers:**

**Section 11.3.A.1 – Rear Yard Setback**

Required: 15' minimum      Provided: 12'-8"      Waiver: 2'-4"

**Section 22.8.B.1.b – Front Yard Parking**

Permitted: None      Proposed: 1      Waiver: 1



**ITEM 11 – Docket Number: 067-16**

**Applicant or Agent:** Charles McKay, Edward J. Weber  
**Property Location:** 1935 Jourdan Avenue **Zip:** 70117  
**Bounding Streets:** Jourdan Ave., N. Prieur St., Deslonde St., N. Johnson St.  
**Zoning District:** S-RD Two-Family Residential District  
**Historic District:** N/A **Planning District:** 8  
**Existing Use:** Vacant Lot **Square Number:** 948  
**Proposed Use:** Single-Family Residence **Lot Number:** 8  
**Project Planner:** Kelly Butler (kgbutler@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 22, Sections 22.11.A.1, 22.11.D.3, and 22.8.C of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit a waivers of the residential driveway and parking pad’s minimum distance from the side lot line and required width of a single-family residential parking space.

**Requested Waivers:**

**Section 22.11.A.1 – Residential Driveways**

Required: 1 ft. Provided: 0.6 ft. Waiver: 0.4 ft.

**Section 22.8.C (Figure 22-2) – Dimensions of Vehicle Parking Spaces**

Required: 8 ft., 6 in. Provided: 8 ft. Waiver: 6 in.

**Section 22.11.D.3 – Parking Pad Design (Location) for Single-Family Residential**

Required: 3 ft. Provided: 0 ft. Waiver: 3 ft.



**ITEM 12 – Docket Number: 068-16**

**Applicant or Agent:** Crain Family Trust  
**Property Location:** 2721 St. Charles Avenue **Zip:** 70130  
**Bounding Streets:** St. Charles Ave., 4th St., Carondelet, St., Washington Ave.  
**Zoning District:** HU-RM1 Multi-Family Residential District  
**Historic District:** St. Charles Ave Local Historic District **Planning District:** 2  
**Existing Use:** Multi-Family Residence **Square Number:** 230  
**Proposed Use:** Multi-Family Residence **Lot Number:** 3B  
**Project Planner:** Nicolette P. Jones (nipjones@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article21, Section 21.6.A.7 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory office structure with insufficient side yard width.

**Requested Waiver:**

**Section 21.6.A.7 – Accessory Structures and Uses**

Permitted: 3 ft. Provided: 0 ft. Waiver: 3 ft.



**F. Reasonable Accommodation Appeals – New Business****ITEM 13 – Docket Number: RA003-16**

<b>Applicant or Agent:</b>	Justin B. Schmidt, Christopher D. Villere	
<b>Property Location:</b>	1467 Arabella Street	<b>Zip:</b> 70115
<b>Bounding Streets:</b>	Arabella St., Hurst St., Joseph St., & Garfield St.	
<b>Zoning District:</b>	HU-RD2 Two-Family Residential District	
<b>Historic District:</b>	N/A	<b>Planning District:</b> 3
<b>Existing Use:</b>	Single-Family Residence	<b>Square Number:</b> 58
<b>Proposed Use:</b>	Single-Family Residence	<b>Lot Number:</b> A

**Request Citation:** This request is for a reasonable accommodation from the provisions Article 11, Section 11.3.A.1 (Table 11-2A), and Article 22, Section 22.8.B.1(b), Section 22.11.B1, Section 22.11.B1.a.i, Section 22.11.B1.a.iii, Section 22.11.D.1, and Section 22.11.D.2 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit an off-street parking space in a required front yard with excessive impervious surface, excessive number of curb cuts, and insufficient lot width for a circular drive (**AFTER THE FACT**).

**Requested Accommodations:****Section 11.3.A.1 (Table 11-2A) - Maximum Impervious Surface - Front Yard**

Permitted: 40%	Provided: 85%	Waiver: 45%
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**Section 22.8.B.1(b) - Permitted Vehicle Parking Locations (Residential Uses - Front Yard)**

Permitted: 0 Spaces	Provided: 1 Space	Waiver: 1 Space
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**Section 22.11.B1 - Curb Cuts**

Permitted: 1 curb cut	Provided: 2 curb cuts	Waiver: 1 curb cut
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**Section 22.11.B1.a.i - Curb Cuts**

Required: 0 spaces in front yard	Provided: 1 space	Waiver: 1 space
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**Section 22.11.B1.a.iii - Curb Cuts**

Required: 50' lot width	Provided: 45'	Waiver: 5'
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**Section 22.11.D.1- Parking Pad Design for Single- and Two-Family Residential**

Permitted: 0 spaces in front yard	Provided: 1 space	Waiver: 1 space
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**Section 22.11.D2- Parking Pad Design for Single- and Two-Family Residential**

Permitted: 0 spaces in front yard	Provided: 1 space	Waiver: 1 space
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**G. Director of Safety and Permits Decision Appeals – Unfinished Business**

**ITEM 14 – Docket Number: 056-16**

**Applicant or Agent:** Leonard Washington, Michael Tiff  
**Property Location:** 1421-1423 Marais Street **Zip:** 70116  
**Bounding Streets:** Kerlerec St., N. Villere St., Esplanade Ave., Marais St.  
**Zoning District:** HMR-3 Historic Marigny/Tremé/Bywater Residential District  
**Historic District:** Tremé **Planning District:** 4  
**Existing Use:** Two-Family Residence **Square Number:** 501  
**Proposed Use:** Multi-Family Residence **Lot Number:** F19

**Request Citation:** This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

**Request:** This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the loss of non-conforming use of a nine-plex.



**H. Adjournment**