

# CITY OF NEW ORLEANS BOARD OF ZONING ADJUSTMENTS

Regular Meeting Agenda Monday, November 11, 2013 10:00 a.m. Homeland Security Conference Room, 1300 Perdido Street, New Orleans, Louisiana

The decision made by the Board will be provided in the form of a resolution. The staff has ten (10) business days after this meeting to produce the resolution. The resolution will be mailed to the address provided on the application, or the applicant may pick-up a copy of the resolution in the City Planning Commission Office.

## A. Call to Order and Roll Call, Adoption of Minutes, Communications, and Reading of Hearing Rules

#### B. BZA Dockets – Unfinished Business

ITEM 1 – Docket Number: 114-13 DG

**Applicant or Agent:** Maria Levitsky

**Property Location:** 641 Caffin Avenue **Zip:** 70117 **Bounding Streets:** Caffin Ave., Royal St., Lamanche St., & Chartres St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District:Holy Cross Local HistoricPlanning District:8Existing Use:Vacant ResidenceSquare Number:113

**Proposed Use:** Vacant Residence w/Accessory Building Lot Number: D

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive height.

#### **Requested Waiver:**

**Section 15.5.12(4) – Accessory Structures (Height)** 

Permitted: 14' Proposed: 16' Waiver: 2'

ITEM 2 – Docket Number: 180-13 MDO

Applicant or Agent: John B. Murret

**Property Location:** 6875 Memphis Street **Zip:** 70124 **Bounding Streets:** Memphis St., Mouton St., General Diaz St., & Chapelle St.

**Zoning District:** LRS-1 Lakeview Single-Family

Historic District: N/A Planning District: 5

Existing Use: Single-Family Residence Square Number: 102

Proposed Use: Single-Family Residence Lot Number: 1-A

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive height (AFTER THE FACT).

#### **Requested Waiver:**

Section 15.5.12(4) – Accessory Buildings and Structures (Height)

Permitted: 14' Proposed: 18' 6" Waiver: 4' 6"

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ITEM 3 – Docket Number: 181-13 MDO

**Applicant or Agent:** Sherman L. Jones

Property Location:6949 General Diaz StreetZip: 70124Bounding Streets:Mouton St., Marshal Foch St., Walker St., & Gen. Diaz St.Zoning District:LRS-1 Lakeview Single-FamilyZBM: C-10

Historic District:N/APlanning District:5Existing Use:Single-Family ResidenceSquare Number:68Proposed Use:Single-Family ResidenceLot Number:9 & 10

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive height.

#### **Requested Waiver:**

Section 15.5.12(4) – Accessory Buildings and Structures (Height)

Permitted: 14' Proposed: 17' Waiver: 3'

ITEM 4 – Docket Number: 185-13 MDO

**Applicant or Agent:** Adam Lussier

Property Location:6374 Argonne BoulevardZip: 70124Bounding Streets:Argonne Blvd., Bragg St., Marshal Foch St., & Harrison Ave.Zoning District:LRS-1 Lakeview Single-FamilyZBM: C-10

Historic District:N/APlanning District:5Existing Use:Single Family ResidenceSquare Number:236Proposed Use:Single Family ResidenceLot Number:48 & 49

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(2) and Article15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive coverage of the required rear yard area and excessive height.

#### **Requested Waiver:**

Section 15.5.12(2) -Accessory Structures (Rear Yard Coverage)

Permitted: 40% (400 sq. ft.) Proposed: 53% (530 sq. ft.) Waiver: 13% (130 sq. ft.)

Section 15.5.12(4) –Accessory Structures (Height)

Permitted: 14' Proposed: 18' Waiver: 4'

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#### ITEM 5 – Docket Number: 186-13 WITHDRAWN

Applicant or Agent: Robert L. Galloway, III

Property Location:5411 S Galvez StreetZip: 70125Bounding Streets:S. Galvez St., Jefferson Ave., & S. Miro St., &Octavia St.Zoning District:RD-2 Two-Family Residential DistrictZBM: B-14

Historic District:N/APlanning District:6Existing Use:Single-Family ResidenceSquare Number:741Proposed Use:Single-Family ResidenceLot Number:B & C

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive height.

#### **Requested Waiver:**

Section 15.5.12(4) – Accessory Structures (Height)

Permitted: 14' Proposed: 21' 9" Waiver: 7' 9"

ITEM 6 – Docket Number: 193-13 WITHDRAWN

**Applicant or Agent:** Lawrence I. Dupre, Jr.

Property Location:905 Whitney AvenueZip: 70114Bounding Streets:Homer St., Newton St., Leboeuf St., & Whitney Ave.Zoning District:RD-3 Two-Family Residential DistrictZBM: D-15

Historic District: N/A Planning District: 5
Existing Use: Single-Family Residence Square Number: 164

Proposed Use: Single-Family Residence Lot Number: L or Pt. 10 (K & L)

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.8(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the elevation of a residence that will result in excessive projection of front stairs into the required front yard area.

#### Requested Waiver:

Section 15.5.8(4) – Front Yards (Projection of Stairs)

Permitted: 6' Proposed: 7'8" Waiver: 1'8"

#### C. Director of Safety and Permits Decision Appeals – Unfinished Business

ITEM 7 – Docket Number: 195-13 Applicant or Agent: VCPORA

**Property Location:** 1235 Royal Street **Zip:** 70116

**Bounding Streets:** Royal St., Gov. Nicholls St., & Barracks St.

**Zoning District:** VCR-2 Vieux Carré Residential District **ZBM:** D-14

Historic District:Vieux CarréPlanning District: 4Existing Use:Bar With Live EntertainmentSquare Number: 54Proposed Use:Bar With Live EntertainmentLot Number: 21

**Request Citation:** This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

**Request:** This is an appeal of the decision of the Director of the Department of Safety and Permits regarding a zoning verification letter for the location stating that the use as "existing legal non-conforming bar with live entertainment."

#### D. BZA Dockets – New Business

ITEM 8 – Docket Number: 197-13 DWT

**Applicant or Agent:** Patrice B. Green

**Property Location:** 518 Abalon Court **Zip:** 70114

**Bounding Streets:** Abalon Ct., Thayer St., Patterson Dr., & Eliza St.

**Zoning District:** RD-2 Two-Family Residential District

Historic District: N/A Planning District: 12
Existing Use: Single-Family Residence Square Number: AR-1

**Proposed Use:** Single-Family Residence Lot Number: 9

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.12(4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory building with excessive height.

**Requested Waiver:** 

Section 15.5.12(4) – Accessory Buildings (Height)

Permitted: 14' Proposed: 17' Waiver: 3'

Section 15.5.12(2) – Accessory Buildings (Rear Yards)

Permitted: 25' Proposed: 27' Waiver: 2'

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ITEM 9 – Docket Number: 198-13 DWT

**Applicant or Agent:** J W Tatum, Jr.

**Property Location:** 5208 Douglas Street **Zip:** 70117

**Bounding Streets:** Douglas St., Lizardi St., & Mississippi River **Zoning District:** RD-3 Two-Family Residential District

Historic District:Holy CrossPlanning District:8Existing Use:Single-Family ResidenceSquare Number:50

Proposed Use: Single-Family Residence Lot Number: No Lot Number

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.7.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an addition onto an existing single-family residence causing a reduction in the required minimum depth of rear yard.

**Requested Waivers:** 

Section 4.7.7 (Table 4.F) - Minimum Depth of Rear Yard

Required: 20' Provided: 1' 6" Waiver: 18' 6"

ITEM 10 – Docket Number: 199-13 JET

**Applicant or Agent:** Emile G. Lombard

**Property Location:** 4931 Lonely Oak Drive **Zip:** 70126 **Bounding Streets:** Lonely Oak Dr., Dwyer Rd., Rhodes Dr., & Prentiss Ave.

**Zoning District**: RD-2 Two-Family Residential District

Historic District:N/APlanning District:9Existing Use:Single-Family ResidenceSquare Number:17Proposed Use:Single-Family ResidenceLot Number:4

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.5.7 (Table 4.E) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit an addition to an existing single-family residence that will encroach into the required rear yard area

#### **Requested Waiver:**

Section 4.5.7 (Table 4.E) – Minimum Depth of Rear Yard

Existing: 20' Proposed: 6' Waiver: 14'

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ITEM 11 – Docket Number: 200-13 JET

**Applicant or Agent:** Sandra W. Webber

**Property Location:** 10310 Morrison Road **Zip:** 70127 **Bounding Streets:** Morrison Rd., Restgate Rd., Flossmoor Dr., & Read Rd.

**Zoning District:** RS-2 Single-Family Residential District

Historic District:N/APlanning District:9Existing Use:Single-Family ResidenceSquare Number:2Proposed Use:Single-Family ResidenceLot Number:5

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.2.3(5), and Article 15, Section 15.6.6 of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit the construction a circular drive within the required front yard setback with excessive paving of the required front yard area.

#### **Requested Waivers:**

Section 15.2.3(5) – Parking in Front Yards (Circular Drive)

Required: Impermissible Provided: 1 Space Waiver: 1 Space

Section 15.6.6 – Limitations on Pavement of Required Yard Areas (Front)

Permitted: 40% (480 sq. ft.) Proposed: 65% (780 sq.ft.) Waiver: 31% (300 sq.ft.)

ITEM 12 – Docket Number: 201-13 WITHDRAWN

**Applicant or Agent:** Dinu M. Tise

**Property Location:** 1075 Prytania Street **Zip:** 70130 **Bounding Streets:** Camp St., Calliope St., St. Charles Ave., & Howard Ave.

**Zoning District**: CBD-7 Central Business District

Historic District:Lafayette SquarePlanning District:1aExisting Use:Vacant LotSquare Number:183

Proposed Use: Multi-Family Residence (4 Units) Lot Number: Undesignated

**Request Citation:** This request is for variances from the provisions of Article 6, Section 6.6.8.7 (Table 6.H) of the Comprehensive Zoning Ordinance.

**Request**: This request is to permit the construction of a multi-family residence (four dwelling units) with insufficient minimum rear building setback at the lowest residential floor and minimum interior lot building setback from lowest residential level with windows.

#### **Requested Waivers:**

Section 6.8.7 (Table 6.H) - Minimum Rear Building Setback at Lowest Residential Floor

Required: 20' Provided: 3' 6" Waiver: 16' 6"

Section 6.8.7 (Table 6.H) - Minimum Interior Building Setback from Lowest Residential Level with

Windows

Required: 20' Provided: 3' Waiver: 17'

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ITEM 13 – Docket Number: 202-13 EA

**Applicant or Agent:** Pamela M. Plaisance

**Property Location:** 523 Walker Street **Zip:** 70124 **Bounding Streets:** Walker St., Louis XIV St., Louisville St., & Conrad St.

**Zoning District:** LRS-1 Lakeview Single-Family

Historic District:N/APlanning District:5Existing Use:Single-Family ResidenceSquare Number:49B

**Proposed Use:** Single-Family Residence Lot Number: C

**Request Citation:** This request is for a variance from the provisions of Article 9A, Section 9A.1.7 (Table 9A.A) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an addition to an existing single-family residence causing insufficient minimum depth of rear yard.

#### **Requested Waiver:**

Section 9A.5.7 (Table 9A.E) - Minimum Depth of Rear Yard

Required: 20' Provided: 15' Waiver: 5'

ITEM 14 – Docket Number: 203-13 WITHDRAWN

**Applicant or Agent:** Marilyn B. Theard

**Property Location:** 4730 Maid Marion Drive **Zip:** 70128

**Bounding Streets:** Maid Marion Dr., Prentiss Ave., Wright Dr., & Pressburg St.

**Zoning District:** RS-2 Single-Family Residential District

Historic District:N/APlanning District:9Existing Use:Single-Family ResidenceSquare Number:SProposed Use:Single-Family ResidenceLot Number:24

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit off-street parking in the required front yard area (AFTER THE FACT).

**Requested Waivers:** 

**Section 15.2.3 – Parking in Front Yards** 

Permitted: 0 Spaces Proposed: 1 Space Waiver: 1 Space

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ITEM 15 – Docket Number: 204-13 DIS

**Applicant or Agent:** John H. Miller

**Property Location:** 3356 Esplanade Avenue **Zip:** 70119

**Bounding Streets:** Esplanade Ave., Moss St., & Ponce de Leon St.

**Zoning District**: RD-2 Two-Family Residential District

Historic District:Esplanade RidgePlanning District: 4Existing Use:Single-Family ResidenceSquare Number: 438

**Proposed Use:** Single-Family Residence Lot Number: 2

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(1), and Section 15.5.12(2) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory building three inches (3") from the interior side property line when an existing accessory structure is located on the adjoining lot on or within three feet (3') of the common property line, and eight inches (8") from a rear property line.

**Requested Waivers:** 

Section 15.5.12(1) - Accessory Buildings (Side Yards)

Required: 3' Provided: 3" Waiver: 2'9"

Section 15.5.12(2) - Accessory Buildings (Rear Yards – Rear Property line)

Required: 3' Provided: 8" Waiver: 2'4"

Section 15.5.12(2) - Accessory Buildings (Rear Yards – Side Property line)

Required: 3' Provided: 3" Waiver: 2'9"

ITEM 16 – Docket Number: 205-13 DG

**Applicant or Agent:** Ben R. Guillory

**Property Location:** 3330 St. Anthony Avenue **Zip:** 70122 **Bounding Streets:** St Anthony St., Humanity St., Annette St., & Pleasure St.

**Zoning District:** RD-2 Two-Family Residential District **ZBM:** 

Historic District: N/A Planning District: 6
Existing Use: Single-Family Residence Square Number: 2140

Proposed Use: Single-Family Residence Lot Number: F

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(4) and Article 15, Section 15.6.6 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory building with excessive height and to permit excessive paving of the required front yard. (AFTER THE FACT)

#### **Requested Waivers:**

Section 15.5.12(4) – Accessory Buildings (Height)

Permitted: 14' Proposed: 21' Waiver: 7' **Section 15.6.6 – Limitation on Pavement of Required Yard Areas (Front Yard)**Required: 370 sq. ft. max<sup>1</sup> Proposed: 520 sq. ft. Waiver: 150 sq. ft.

(max. 40% of the front yard area)

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ITEM 17 – Docket Number: 206-13 CCM

**Applicant or Agent:** PF Developers, LLC

**Property Location:** 2751 Banks Street **Zip:** 70119 **Bounding Streets:** Banks St., Jane Alley., S. White St., & Palmyra St.

**Zoning District:** RD-3 Two-Family Residential District

Historic District:N/APlanning District:4Existing Use:Vacant LotSquare Number:605Proposed Use:Two-Family ResidenceLot Number:H-5

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.6.7.4 of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit the construction of a two-family residence with insufficient off-street parking.

#### **Requested Waivers:**

Article 15, Section 15.6.7.4 - Special Regulations / Off-Street Parking

Required: 1 Space Provided: 0 Space Waiver: 1 Space

<sup>&</sup>lt;sup>1</sup> Paving shall not exceed 40% of the front yard area. The petitioned property has a front yard area of approximately 920 square feet (46'x20'). Therefore the paved area shall not exceed 370 square feet.

ITEM 18 – Docket Number: 207-13 CCM

**Applicant or Agent:** Pf Developers, LLC

**Property Location:** 2755 Banks Street **Zip:** 70119

**Bounding Streets:** Banks St., Jane Pl., Palmyra St., & S. White St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District:N/APlanning District:4Existing Use:Vacant LotSquare Number:605Proposed Use:Two-Family ResidenceLot Number:H-6

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.6.7.4 of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit the construction of a two-family residence with insufficient off-street parking.

#### **Requested Waivers:**

Article 15, Section 15.6.7.4 - Special Regulations / Off-Street Parking

Required: 1 Space Provided: 0 Spaces Waiver: 1 Space

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ITEM 19 – Docket Number: 208-13 DG

**Applicant or Agent:** Robert E. Blouin

**Property Location:** 4223 Laurel Street **Zip:** 70115 **Bounding Streets:** Laurel St., Gen. Pershing St., Constance St., & Milan St.

**Zoning District:** RM-2 Multiple-Family Residential

Historic District: N/A Planning District: 2

Existing Use: Single-Family Residence Square Number: 172

Proposed Use: Two Main Uses on One Lot of Record Lot Number: 26

(Two Single-Family Residences)

**Request Citation:** This request is for variances from the provisions of Article 1, section 1.4 and Article 4, Section 4.9.7 (Table 4.I) of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit the construction of a second main use on one lot of record with insufficient minimum depth of rear yard and insufficient minimum width of side yards.

#### **Requested Waiver:**

Section 1.4 – Location on a Lot

Required: 1 main Use Proposed: 2 Main Uses Waiver: 1 Main Use

Section 4.9.7 (Table 4.I) – Minimum Depth of Rear yard

Required: 15' Proposed: 0' Waiver: 15'

Section 4.9.7 (Table 4.1) - Minimum Width of Side Yards (Gen. Perching and Milan St. Side)

Required: 3' Proposed: 0' Waiver: 3'

ITEM 20 – Docket Number: 209-13 DG

**Applicant or Agent:** 1919 Burgundy Street LLC

**Property Location:** 1919 Burgundy Street **Zip:** 70116 **Bounding Streets:** Burgundy St., Pauger St., Touro St., & N. Rampart St.

**Zoning District:** HMC-1 Historic Marigny/Treme

**Historic District:** Faubourg Marigny **Planning District:** 7

Existing Use: Mixed Use (Commercial w 2 Dwelling

Units)

Proposed Use: Multi Family Residence (3 Units) Lot Number: E

**Request Citation:** This request is for a variance from provisions of Article 9 Section 9.4.6 (Table 9D) of the Comprehensive Zoning Ordinance.

**Square Number: 269** 

#### Request:

To permit the conversion of a mixed-use building (commercial space and two dwelling units) into a multi-family residence (three dwelling units) with insufficient minimum lot area per dwelling unit.

**Requested Waivers:** 

Section 9.4.6 (Table 9D) - Lot Area

Required: 2,700 sq. ft. Proposed: 2,656 sq. ft. Waiver: 44 sq. ft. (1.6%)

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ITEM 21 – Docket Number: 210-13 DIS

**Applicant or Agent:** Broadmoor Development Corp.

Property Location:1705 S. White StreetZip: 70125Bounding Streets:S. White St., Elbe St., S. Dupre St., & Washington Ave

**Zoning District:** C-1 General Commercial District

Historic District: N/A Planning District: 3

Existing Use: Vacant Square Number: 167

Proposed Use: Mixed-Use (Two-Family and Office) Lot Number: 12-B

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a mixed-use building with insufficient off-street parking.

**Requested Waiver:** 

Section 15.2.1 (Table 15.A) - Off-Street Parking

Required: 5 Spaces Provided: 0 Spaces Waiver: 5 Spaces

ITEM 22 – Docket Number: 211-13 MDO

**Applicant or Agent:** Make It Right Foundation

**Property Location:** 1705 Jourdan Avenue **Zip:** 70117

**Bounding Streets:** Jourdan Ave., Deslonde St., N. Derbigny St., & N. Roman St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District: N/A Planning District: 8
Existing Use: Vacant Lot Square Number: 807

Proposed Use: Single-Family Residence Lot Number: 1

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum depth of front yard.

Requested Waiver: Section 4.6.7 (Table 4.F) - Minimum Depth of Front Yard Required: 20' Proposed: 10' Waiver: 10'

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ITEM 23 – Docket Number: 212-13 MDO

**Applicant or Agent:** Make It Right Foundation

**Property Location:** 1705 Jourdan Avenue **Zip:** 70117

**Bounding Streets:** Jourdan Ave., Deslonde St., N. Derbigny St., & N. Roman St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District:N/APlanning District:8Existing Use:Vacant LotSquare Number:807

**Proposed Use:** Single-Family Residence Lot Number: 2

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum depth of front yard.

Requested Waiver: Section 4.6.7 (Table 4.F) - Minimum Depth of Front Yard Required: 20' Proposed: 10' Waiver: 10'

ITEM 24 – Docket Number: 213-13 MDO

**Applicant or Agent:** Make It Right New Orleans Housing, LLC

**Property Location:** 1801 Jourdan Avenue **Zip:** 70117 **Bounding Streets:** Jourdan Ave., Deslonde St., N. Prieur St., & N. Roman St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District: N/A Planning District: 8
Existing Use: Vacant Lot Square Number: 848

Proposed Use: Single-Family Residence Lot Number: 19A (SD70-12)

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum depth of front yard.

Requested Waiver: Section 4.6.7 (Table 4.F) - Minimum Depth of Front Yard Required: 20' Proposed: 10' Waiver: 10'

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ITEM 25 – Docket Number: 214-13 MDO

**Applicant or Agent:** Make It Right-New Orleans Housing LLC

**Property Location:** 2030 Deslonde Street **Zip:** 70117 **Bounding Streets:** Jourdan Ave., Deslonde St., N. Johnson St., & N. Galvez St.

**Zoning District:** RD-3 Two-Family Residential District

Historic District:N/APlanning District:8Existing Use:Vacant LotSquare Number:990Proposed Use:Single-Family ResidenceLot Number:16

**Request Citation:** This request is for a variance from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum depth of front yard.

Requested Waiver: Section 4.6.7 (Table 4.F) - Minimum Depth of Front Yard Required: 20' Proposed: 10' Waiver: 10'

ITEM 26 – Docket Number: 215-13 GM

**Applicant or Agent:** Preservation Alliance Of N O Inc

**Property Location:** 2823-2827 St Claude Ave **Zip:** 70117 **Bounding Streets:** Press St., Marais St., St. Ferdinand St., & St. Claude Ave.

**Zoning District:** HMC-2 Historic Marigny/Tremé

**Historic District:** Faubourg Marigny **Planning District:** 7 **Existing Use:** Vacant Two-Family Residence **Square Number:** 398

**Lot Number:** A-9 or 9 proposed

**Proposed Use:** Single-Family Residence 9-A

**Request Citation:** This request is for a variance from the provisions of Article 15, Sections 15.5.9.5 and 15.5.10.2 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the creation of a new lot of record with a side yard with insufficient width and a rear yard with insufficient width.

**Requested Waivers:** 

Section 15.5.9.5 – Minimum Width of Side Yards

Required: 3 ft. Proposed: 1.75 ft. Waiver: 1.25 ft.

Section 15.5.10.2 – Minimum Width of Rear Yards

Required: 3 ft. Proposed: 1.75 ft. Waiver: 1.25 ft.

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ITEM 27 – Docket Number: 216-13 GM

**Applicant or Agent:** Preservation Alliance Of N O ,LLC

**Property Location:** 2831 St Claude Ave **Zip:** 70117 **Bounding Streets:** Press St., St. Ferdinand St., Marais St., & St. Claude Ave.

**Zoning District:** HMC-2 Historic Marigny/Tremé

**Historic District:** Faubourg Marigny **Planning District:** 7 **Existing Use:** Vacant Commercial Building **Square Number:** 398,

Proposed Use: Commercial Lot Number: 10 proposed 10-A

**Request Citation:** This request is for a variance from the provisions of Article 15, Sections 15.5.9.5 and 15.5.10.2 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the creation of a new lot of record with a side yard with insufficient width and a rear yard with insufficient width.

**Requested Waivers:** 

Section 15.5.9.5 - Minimum Width of Side Yards

Required: 3 ft. Proposed: 0.08 ft. (1 in.) Waiver: 2.92 ft.

Section 15.5.10.2 – Minimum Width of Rear Yards

Required: 3 ft. Proposed: 1.25 ft. Waiver: 1.75 ft.

ITEM 28 – Docket Number: 217-13 SK

**Applicant or Agent:** St. Thomas Properties, LLC

**Zip:** 70130 **Property Location:** 540 3rd Street

St. Thomas St., 3rd St., Rousseau St., & 4th St. **Bounding Streets:** 

**Zoning District: RD-3 Two-Family Residential District** 

**Historic District:** Irish Channel Planning District: 2 Square Number: 49 **Existing Use:** Vacant Lot

Lot Number: 14 or 25 (proposed **Proposed Use:** 

Single-Family Residence Lot P-2)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 89/13, to permit the creation of a lot with insufficient minimum lot area and minimum lot depth.

**Requested Waiver:** 

Section 4.6.7 (Table 4.F) – Minimum Lot Area

Required: 3,600 sq. ft. Provided: 2588.87 sq. ft. Waiver: 1011.13 sq. ft.

Section 4.6.7 (Table 4.F) – Minimum Lot Depth

Required: 90' Proposed: 83' 3" Waiver: 6' 9"

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ITEM 29 - Docket Number: 218-13 SK

**Applicant or Agent:** St. Thomas Properties, LLC

**Zip:** 70130 **Property Location:** 540 3rd Street

**Bounding Streets:** St. Thomas St., 3rd St., Rousseau St., & 4th St.

**Zoning District: RD-3 Two-Family Residential District** 

**Historic District:** Irish Channel Planning District: 2 **Existing Use:** Vacant Lot **Square Number:** 49

Lot Number: 14 or 25 (Proposed

**Proposed Use:** Single-Family Residence P-1)

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F.) of the Comprehensive Zoning Ordinance.

Request: This request is in conjunction with Subdivision Docket 89/13, to permit the creation of a lot with insufficient minimum lot area and minimum lot depth.

**Requested Waiver:** 

Section 4.6.7 (Table 4.F) – Minimum Lot Area

Required: 3,600 sq. ft. Provided: 2589.70 sq. ft. Waiver: 1010.3 sq. ft.

Section 4.6.7 (Table 4.F) – Minimum Lot Depth

Waiver: 6' 9" Required: 90' Proposed: 83' 3"

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ITEM 30 – Docket Number: 219-13 DIS

**Applicant or Agent:** Wincfus E. Wilson

**Property Location:** 1917 Congress Street **Zip:** 70117

**Bounding Streets:** Congress St., N. Prieur St., Independence St., & N. Johnson St

**Zoning District**: RD-3 Two-Family Residential District

Historic District:N/APlanning District:7Existing Use:Two-Family ResidenceSquare Number:934

**Proposed Use:** Two-Family Residence **Lot Number:** 5

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit the construction of a two-family residence on a lot with insufficient minimum lot area, insufficient minimum width of each side yard, insufficient minimum aggregate width of side yards, insufficient minimum depth of rear yard, and insufficient off-street parking (AFTER THE FACT).

#### **Requested Waivers:**

Section 4.6.7 (Table 4.F) - Minimum Lot Area

Required: 3,600 sq. ft. Provided: 3,058 sq. ft. Waiver: 542 sq. ft. Section 4.6.7 (Table 4.F) - Minimum Width of a Side Yard (N. Johnson Street Side)

Required: 3' Provided: 2' 9.5" Waiver: 2.5"

Section 4.6.7 (Table 4.F) - Minimum Width of a Side Yard (N. Prieur Street Side)

Required: 3' Provided: 2' 8.5" Waiver: 3.5"

Section 4.6.7 (Table 4.F) – Aggregate Width of Side Yards

Required: 20% (6' 3") Provided: 5' 6" Waiver: 9"

Section 4.6.7 (Table 4.F) – Minimum Depth of Rear Yard

Required: 20' Provided: 14' 8.5" Waiver: 5' 3.5"

Section 15.2.1 (Table 15.A) – Off-Street Parking

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

ITEM 31 – Docket Number: 220-13 EA

Applicant or Agent: Julie W. Wallace

**Property Location:** 2619 Arts Street **Zip:** 70117

**Bounding Streets:** Florida Ave., Painters St., Law St., & Arts St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District: N/A Planning District: 7

Existing Use: Single-Family Residence Square Number: 1491

**Proposed Use:** Single-Family Residence Lot Number: D

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.8(5) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit stairs to project more than six feet (6') into the required front yard area (AFTER THE FACT).

**Requested Waivers:** 

Section 15.5.8(5) - Front Yards (Stairs)

Permitted: 6' Proposed: 9' 3" Waiver: 3' 3"

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ITEM 32 – Docket Number: 221-13 DWT

**Applicant or Agent:** David J Fuselier

**Property Location:** 701 7<sup>th</sup> Street (2927 Chippewa Street) **Zip:** 70115 **Bounding Streets:** Chippewa St., 7th St., Annunciation St., & 6th St.

**Zoning District:** RD-3 Two-Family Residential District

Historic District:Irish ChannelPlanning District:2Existing Use:Vacant LotSquare Number:82Proposed Use:Single-Family ResidenceLot Number:J-1

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence on a lot with minimum lot area, minimum lot depth, minimum depth of front yard, and minimum depth of rear yard

**Requested Waivers:** 

Section 4.6.7 (Table 4.F) - Minimum Lot Area

Permitted: 3,600 sq. ft. Proposed: 3,094 sq. ft. Waiver: 506 sq. ft.

Section 4.6.7 (Table 4.F) - Minimum Lot Depth

Permitted: 90' Proposed: 63' 1" Waiver: 26' 11"

Section 4.6.7 (Table 4.F) - Minimum Depth of Rear Yard

Permitted: 20' Proposed: 17' 4" Waiver: 2' 8"

Section 4.6.7 (Table 4.F) - Minimum Depth of Corner Lot Side Yard

Permitted: 10' Proposed: 3' Waiver: 7'

\*\*\*

ITEM 33 – Docket Number: 222-13 CCM

**Applicant or Agent:** David J Fuselier

Property Location:707 7th Street (2927 Chippewa Street)Zip: 70115Bounding Streets:Chippewa St., 7th St., Annunciation St., & 6th St.Zoning District:RD-3 Two-Family Residential DistrictZBM:

Historic District:Irish ChannelPlanning District:2Existing Use:Vacant LotSquare Number:82Proposed Use:Single-Family ResidenceLot Number:J-2

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence on a lot that does not meet minimum lot area, minimum lot depth, and minimum depth of rear yard requirements.

#### **Requested Waivers:**

Section 4.6.7 (Table 4.F) - Minimum Lot Area

Permitted: 3,600 sq. ft. Proposed: 3,094 sq. ft. Waiver: 506 sq. ft.

Section 4.6.7 (Table 4.F) - Minimum Lot Depth

Permitted: 90' Proposed: 63' 1" Waiver: 26' 11"

Section 4.6.7 (Table 4.F) - Minimum Depth of Rear Yard

Permitted: 20' Proposed: 17' 4" Waiver: 2' 8"

ITEM 34 – Docket Number: 223-13 SK

**Applicant or Agent:** David Dominici

**Property Location:** 640 Piety Street **Zip:** 70117

**Bounding Streets:** Royal St., Piety St., Chartres St., & Louisa St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District:BywaterPlanning District:7Existing Use:Single-Family ResidenceSquare Number:140Proposed Use:Single-Family ResidenceLot Number:14-A

**Request Citation:** This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) and Article 15, Section 15.5.12(2) of the Comprehensive Zoning Ordinance.

**Request:** This request is a requirement of Subdivision Docket 094/13 to permit the creation of a lot with insufficient minimum lot area and the construction of an accessory building on the interior side property line and rear property line covering more than 40% of the required rear yard area.

#### **Requested Waivers:**

#### Section 4.6.7 (Table 4.F) – Minimum Lot Area (Single-family residence)

Required: 3,600 sq. ft. (2,270.14 sq. ft. existing grandfathered condition)

Provided: 2,001.62 sq. ft. Waiver: 268.52 sq. ft.

### Section 15.5.12(2) - Accessory Buildings (Chartres Street-side setback from adjacent accessory

structure)

Required: 3' Provided: 0' Waiver: 3'

Section 15.5.12(2) - Accessory Buildings (Rear setback from adjacent accessory structure)

Required: 3' Provided: 0' Waiver: 3' Section 15.5.12(2) - Accessory Buildings (Coverage of required rear yard)

Required: ≤40% (153.44 sq. ft.) Provided: 68% (261 sq. ft.) Waiver: 28% (107.56 sq. ft.)

ITEM 35 – Docket Number: 224-13 SK

**Applicant or Agent:** Adam J Newman

**Property Location:** 3212 Royal Street **Zip:** 70117

**Bounding Streets:** Royal St., Piety St., Chartres St., & Louisa St.

**Zoning District**: RD-3 Two-Family Residential District

Historic District:BywaterPlanning District:7Existing Use:Single-Family ResidenceSquare Number:140Proposed Use:Single-Family ResidenceLot Number:D-1

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(1) of the Comprehensive Zoning Ordinance.

**Request:** This request is a requirement of Subdivision Docket 094/13 to permit the construction of an accessory building within forty (40) feet of the front property line and on the Piety Street-side interior property line.

#### **Requested Waivers:**

Section 15.5.12(1) - Accessory Buildings (Distance from front property line)
Required: ≤40′ Provided: 0′ Waiver: 40′

Section 15.5.12(1) - Accessory Buildings (Side yard setback)

Required: 3' Provided: 0' Waiver: 3'

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ITEM 36 – Docket Number: 225-13 DIS

**Applicant or Agent:** Gerald D. Fabre

**Property Location:** 2230 Chartres Street **Zip:** 70117

**Bounding Streets:** Marigny St., Decatur St., Elysian Fields Ave., & Chartres St.

**Zoning District:** HMR-3 Historic Marigny/Tremé

Historic District:Faubourg MarignyPlanning District:7Existing Use:Single-Family ResidenceSquare Number:7Proposed Use:Single-Family ResidenceLot Number:S

**Request Citation:** This request is for a variance from the provisions of Article 9, Section 9.3.7 (Table 9.C) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an addition causing insufficient minimum depth of rear yard.

#### **Requested Waivers:**

Section 9.3.7 (Table 9.C) - Minimum Depth of Rear Yard

Required: 20' Provided: 11' Waiver: 9'

ITEM 37 – Docket Number: 226-13 DIS

**Applicant or Agent:** Alexander Rubets

**Property Location:** 1122 North Derbigny Street **Zip:** 70116

**Bounding Streets:** N. Derbigny St., Gov. Nicholas St., Ursulines Ave., N. Claiborne Ave.

**Zoning District**: RD-3 Two-Family Residential District **ZBM**:

Historic District:TreméPlanning District:4Existing Use:Single-Family ResidenceSquare Number:205Proposed Use:Two-Family ResidenceLot Number:11

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the conversion of a single-family residence into a two-family residence with insufficient minimum lot area, minimum lot width, and insufficient off-street parking.

#### **Requested Waivers:**

Section 4.6.7 (Table 4.F) - Minimum Lot Area

Required: 3,600 sq. ft. Provided: 2,658 sq. ft. Waiver: 942 sq. ft.

Section 4.6.7 (Table 4.F) - Minimum Lot Width

Required: 30' Provided: 27' 7" Waiver: 2' 5"

Section 15.2.1 (Table 15.A) - Off-Street Parking

Required: 0 Spaces Provided: 1 Space Waiver: 1 Space

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ITEM 38 – Docket Number: 227-13 DIS

**Applicant or Agent:** Adam D. Pershall

**Property Location:** 498 Walnut Street **Zip:** 70118 **Bounding Streets:** Hurst St., Walnut St., Benjamin St., & Audubon St.

**Zoning District:** RS-2 Single-Family Residential District

Historic District:N/APlanning District:3Existing Use:Single-Family ResidenceSquare Number:58Proposed Use:Single-Family ResidenceLot Number:A

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.5.12(2), and Article 15, Section 15.5.12(3) of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit the construction of an accessory building with excessive coverage of the required rear yard area, and excessive projection towards a corner lot side property line.

#### **Requested Waivers:**

Section 15.5.12(2) - Accessory Buildings and Structures (Rear Yard Coverage)

Required: 40% (280 sq. ft.) Provided: 56 % (403 sq. ft.) Waiver: 16% (195 sq. ft.)

Section 15.5.12(3) – Accessory Buildings and Structures (Corner Lots)

Required: 1'11" Proposed: 0' Waiver: 1'11"

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ITEM 39 – Docket Number: 228-13 DIS

**Applicant or Agent:** Maxine H. Harris

**Property Location:** 529-531 Joseph Street **Zip:** 70115 **Bounding Streets:** Joseph St., Laurel St., Octavia St., & Constance St.

**Zoning District**: RD-4 Two-Family Residential District

Historic District: N/A Planning District: 3

Existing Use: Two-Family Residence Square Number: 188

Proposed Use: Single-Family Residence Lot Number: 39

**Request Citation:** This request is for variances from the provisions of Article 15, Section 15.2.3, and Section 15.2.5.1(b) of the Comprehensive Zoning Ordinance.

#### Request:

This request is to permit off-street parking in the required front yard area with insufficient depth of a parking stall.

**Requested Waivers:** 

Section 15.2.3 – Parking in Front Yards

Permitted: Not Permitted Provided: 1 Space Waiver: 1 Space

Section 15.2.5.1(b) – Design Standards (Parking Stall Depth)

Required: 18' Proposed: 12' Waiver: 6'

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ITEM 40 – Docket Number: 229-13 MDO

**Applicant or Agent:** Mildred B. James

**Property Location:** 8911 Dwyer Road **Zip:** 70127 **Bounding Streets:** Dwyer Rd., Norgate Dr., Bundy Rd., & Tliford Rd.

**Zoning District:** RS-2 Single-Family Residential District

Historic District:N/APlanning District:9Existing Use:Single-Family ResidenceSquare Number:EProposed Use:Single-Family residenceLot Number:45

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.8(5) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit stairs to project more than six feet (6') into the required front yard area (AFTER THE FACT).

**Requested Waivers:** 

Section 15.5.8(5) - Front Yards (Stairs)

Permitted: 6' Proposed: 11' Waiver: 5'

#### E. Director of Safety and Permits Decision Appeals

ITEM 41 - Docket Number: 230-13

**Applicant or Agent:** Fairgrounds Triangle Neighborhood Association

**Property Owner:** Gebre E. Amare

**Property Location:** 1544 Gentilly Boulevard **Zip:** 70119 **Bounding Streets:** Gentilly Blvd., Laharpe St., Paul Morphy., & Bayou Rd.

**Zoning District**: B-1 Neighborhood Business District **ZBM**:

Historic District:Esplanade RidgePlanning District:4Existing Use:Vacant LotSquare Number:1530

Proposed Use: Convenience Store Lot Number: X

**Request Citation:** This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

**Request:** This is an appeal of the Director of the Department of Safety and Permits regarding the issuance of building permit 13-06097-NEW.