



# BOARD OF ZONING ADJUSTMENTS

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Final Agenda

February 9, 2014

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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

Denise C. Puente

Andrew P. Sanchez, Jr.

Thomas McCall Screen

Alyssa Wenck Rambeau

Jaime Ramiro Diaz

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 **February 19, 2014**.

### 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 and Roll Call, Adoption of Minutes and Reading of Hearing Rules**

**B. BZA Dockets – Unfinished Business**

**ITEM 1 – Docket Number: 215-14**

**Applicant or Agent:** Terrence Ibert, Mary Ibert  
**Property Location:** 3027 Ponce De Leon Street **Zip:** 70119  
**Bounding Streets:** Ponce de Leon St., Sauvage St., Maurepas St., & N. Lopez St.  
**Zoning District:** RD-3 Two-Family Residential District  
**Historic District:** Esplanade Ridge **Planning District:** 4  
**Existing Use:** Single-Family Residence **Square Number:** 1557  
**Proposed Use:** Two Single-Family Residences **Lot Number:** 8  
**Project Planner:** Brooke Perry (btperry@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 1, Section 1.4 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the establishment of two (2) single-family residences on one lot of record.

**Requested Waiver:**

**Section 1.4 – Location on a Lot Required**

Required: 1 Main Use Provided: 2 Main Uses

Waiver: 1 Main Use

**C. BZA Dockets – New Business**

**ITEM 2 – Docket Number: 013-15**

**Applicant or Agent:** Patrick D. Crain  
**Property Location:** 2721 St. Charles Avenue **Zip:** 70130  
**Bounding Streets:** St. Charles Ave., Fourth St., Carondelet St., & Washington Ave.  
**Zoning District:** RM-2A Multiple-Family Residential District  
**Historic District:** St. Charles Avenue Local Historic **Planning District:** 2  
**Existing Use:** Multi-Family Residence **Square Number:** 230  
(6 Dwelling Units)  
**Proposed Use:** Multi-Family Residence **Lot Number:** 3-B  
(6 Dwelling Units)

**Request Citation:** This request is for a variance from the provisions of Article 15, Section 15.5.12(1) 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 15.5.12(1) – Accessory Buildings and Structures (Side Yards)**

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



**ITEM 3– Docket Number: 014-15**

**Applicant or Agent:** Theodore L. Wong  
**Property Location:** 4714 Coliseum Street **Zip:** 70115  
**Bounding Streets:** Coliseum St., Valence St., Chestnut St., & Bordeaux St.  
**Zoning District:** RD-2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single-Family Residence **Square Number:** 293  
**Proposed Use:** Single-Family Residence **Lot Number:** 16

**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 Comprehensive Zoning Ordinance.

**Request:** This request is to permit one (1) parking space 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: 1 Space                      Waiver: 1 Space

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

Required: ≤ 40%                      Provided: 61% (267 sq. ft.)                      Waiver: 21% (91 sq. ft.)



**ITEM 4 – Docket Number: 015-15**

**Applicant or Agent:** Kenneth Wiltz, JoAnne Wiltz, & Alison Clayton Carter  
**Property Location:** 6545 West End Boulevard **Zip:** 70124  
**Bounding Streets:** West End Blvd., Smith St., Catina St., & Porteous St.  
**Zoning District:** LRS-1 Lakeview Single-Family Residential District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Vacant Lot **Square Number:** 169  
**Proposed Use:** Single-Family Residence **Lot Number:** 15 & 16  
**Project Planner:** Stephen Kroll (skroll@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 9A, Section 9A.1.7 and Article 15, Section 15.5.12(2) of the Comprehensive Zoning Ordinance

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum depth of rear yard, insufficient distance from the rear property line for an accessory structure, and excessive coverage of the required rear yard area by an accessory structure. (AFTER THE FACT)

**Requested Waivers:**

**Section 9A.1.7 (Table 9A.A) – Minimum Depth of Rear Yard**

Required: 20'                      Provided: 18' 7"                      Waiver: 1' 5"

**Section 15.5.12(2) – Accessory Buildings and Structures (Rear Yards – Distance from Rear Property Line)**

Required: 0' or 3'  
Provided: Varies between 0' and 1'  
Waiver: 2'

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

Required: ≤ 40% (371.9 sq. ft., assuming 18'7" deep rear yard)  
Proposed: 40.8% (379.75 sq. ft.)  
Waiver: 0.8% (7.85 sq. ft.)



**ITEM 5 – Docket Number: 016-15**

**Applicant or Agent:** Charles Neyrey & Patrick Brewster  
**Property Location:** 613-615 Dufossat Street **Zip:** 70115  
**Bounding Streets:** Dufossat St., Annunciation St., Laurel St., & Soniat St.  
**Zoning District:** RM-2 Multiple-Family Residential District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Multi-Family Residence **Square Number:** 137  
(4 Dwelling Units)  
**Proposed Use:** Two-Family Residence **Lot Number:** 18  
**Project Planner:** Editha Amacker (evamacker@nola.gov)

**Request Citation:** This request is for a variance from provisions of Article 4, Section 4.9.7 (Table 4) of the Comprehensive Zoning Ordinance.

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

**Requested Waiver:**

**Section 4.9.7 (Table 4.1) – Minimum Depth of Front Yard**

Required: 20'                  Provided: 6'                  Waiver: 14'



**ITEM 6 – Docket Number: 017-15**

**WITHDRAWN**

**Applicant or Agent:** Charles Neyrey & Sanja Alickovic  
**Property Location:** 4320 Dryades Street **Zip:** 70115  
**Bounding Streets:** Dryades St., Napoleon Ave., Gen. Pershing St., & Baronne St.  
**Zoning District:** RM-2 Multiple-Family Residential District  
**Historic District:** N/A **Planning District:** 2  
**Existing Use:** Vacant Lot **Square Number:** 455  
**Proposed Use:** Single-Family **Lot Number:** N1  
**Project Planner:** Nicholas Kindel (njkindel@nola.gov)

**Request Citation:** This request is for variances from provisions of Article 4, Section 4.9.7 (Table 4), Article 15, Section 15.5.12, and Section 15.5.12 (4) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence excessive front yard depth, an accessory garage located in the required front yard with excessive height.

**Requested Waivers:**

**Section 4.9.7 (Table 4.1) – Front Yard Depth**

Required: 3' within average or 20' Provided: 48'-9" Waiver: 20'-9"

**Section 15.5.12 – Location of Accessory Structures**

Required: Not Permitted in Front Yard  
Provided: Accessory Structure in Front Yard  
Waiver: Accessory Structure in Front Yard

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

Required: 14' Provided: 17'-6" Waiver: 3'-6"



**ITEM 7 – Docket Number: 018-15**

**Applicant or Agent:** Michael Petitto, Lori Petitto, & Stanley Seeling  
**Property Location:** 241 West Harrison Avenue **Zip:** 70124  
**Bounding Streets:** W. Harrison Ave., Pontchartrain Blvd., 26th St., & Fleur de Lis Ave.  
**Zoning District:** LB-1 Lake Area Neighborhood Business District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Paint Store **Square Number:** 15  
**Proposed Use:** Restaurant **Lot Number:** 38, 39, & 40  
**Project Planner:** Kelly Butler (kgbutler@nola.gov)

**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 paint store into a restaurant with insufficient off-street parking.

**Requested Waiver:**

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

Required: 22 Spaces    Provided: 5 Spaces (9 grandfathered)    Waiver: 8 Spaces



**ITEM 8 – Docket Number: 019-15**

**Applicant or Agent:** Priscilla Monroe  
**Property Location:** 14225 Intrepid Street **Zip:** 70129  
**Bounding Streets:** Intrepid St., Expedition Dr., & Michoud Blvd.  
**Zoning District:** RS-2 Single-Family Residential District  
**Historic District:** N/A **Planning District:** 10  
**Existing Use:** Single-Family Residence **Square Number:** 6  
**Proposed Use:** Single-Family Residence **Lot Number:** 10  
**Project Planner:** Dubravka Gilic (dgilic@nola.gov)

**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 two (2) off-street parking spaces in the required front yard area. (AFTER THE FACT)

**Requested Waiver:**

**Section 15.2.3 – Parking in Front Yards**

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



**ITEM 9 – Docket Number: 020-15**

**Applicant or Agent:** Pablo Gonzalez, Ashley Gonzalez, & Justin Schmidt  
**Property Location:** 1205 7th Street **Zip:** 70115  
**Bounding Streets:** 7th St., Camp St., 8th St., & Chestnut St.  
**Zoning District:** RD-3 Two-Family Residential District  
**Historic District:** Garden District Local Historic District **Planning District:** 2  
**Existing Use:** Single-Family Residence **Square Number:** 163  
**Proposed Use:** Single-Family Residence **Lot Number:** 1  
**Project Planner:** Valerie McMillan (vamcmillan@nola.gov)

**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 the addition onto an existing single-family residence causing an insufficient minimum depth of rear yard.

**Requested Waiver:****Section 4.5.7 (Table 4.E) – Minimum Depth of Rear Yard**

Required: 20'                      Provided: 15' - 6"                      Waiver: 4' - 6"

*ALL DECISION APPEALS ARE SCHEDULED TO COMMENCE AT 1:00 P.M. OR THEREAFTER*

**D. Director of Safety and Permits Decision Appeals – New Business****ITEM 10 – Docket Number: 021-15**

**Applicant or Agent:** Helen Ball  
**Property Location:** House H St. John Court **Zip:** 70119  
**Bounding Streets:** St. John Ct., Moss St., & Harding Dr.  
**Zoning District:** LRD-2 Lakewood/Parkview Two-Family Residential District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Single-Family Residence **Square Number:** E  
**Proposed Use:** Single-Family Residence **Lot Number:** H

**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 determination that the rear deck increased the extent of the existing non-conformity by being raised above the pre-existing elevation of the structure.





**ITEM 11 – Docket Number: 022-15**

**Applicant or Agent:** Rose Brocato, Cosimo Brocato, & Justin Schmidt  
**Property Location:** 824 7th Street **Zip:** 70115  
**Bounding Streets:** 7th St., Laurel St., 8th St., & Annunciation St.  
**Zoning District:** RD-3 Two-Family Residential District  
**Historic District:** Irish Channel Local Historic District **Planning District:** 2  
**Existing Use:** Single-Family Residence **Square Number:** 92  
**Proposed Use:** Single-Family Residence **Lot Number:** 20

**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 grandfathering status of existing front yard paving and front yard parking.

**E. Adjournment**