



BOARD OF ZONING ADJUSTMENTS

Draft Agenda

April 11, 2016

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.
*Decision Appeals are heard
after 1 p.m.*

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Thomas McCall Screen

Jaime Ramiro Diaz

Alfonso Gonzalez II

Myra Bercy

Mary Harper Malone

The general public cannot speak
with the members personally.

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 **April 21, 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.

This is the Draft Agenda

Should you wish to view an application you may do so online at onestopapp.nola.gov. The requested waivers are subject to change prior to the hearing. Should you wish to submit comments on any of the matters included in the agenda, you may do so in the following ways:

E-mail – CPCinfo@nola.gov or the planner listed on the agenda
Mail – 1300 Perdido Street Room 7W03, New Orleans, Louisiana 70112
Fax – 504-658-7032

All written correspondence should include the docket number and be made to the attention of the Staff of the Board of Zoning Adjustments. The deadline for public comment is **no later than 5:00 p.m. on the Monday before the meeting.**

- A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules
- B. BZA Dockets – Former Comprehensive Zoning Ordinance¹ - Unfinished Business

ITEM 1 – Docket Number: 081-15

Applicant or Agent: Harry Baker Smith Architects, 515 Toulouse, L.L.C.,
Property Location: 515-517 Toulouse Street & 516 Wilkinson **Zip:** 70130
Bounding Streets: Toulouse St., Decatur St., Chartres St., & Wilkinson St.
Former Zoning: VCC-2 Vieux Carré Commercial District
Current Zoning: VCC-2 Vieux Carré Commercial District
Historic District: N/A **Planning District:** 1b
Existing Use: Vacant Mixed-Use **Square Number:** 26
Proposed Use: Commercial/Residential (25 units) **Lot Number:** 10, 11, 12, 16, B, A
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 8, Section 8.5.7 (Table 8-D) of the former Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of an existing building to a mixed-use structure with excessive height.

Requested Waiver:

Section 8.5.7 (Table 8.D) – Maximum Building Height

Required: 50 feet Proposed: 53 feet Waiver: 3 feet



¹ 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.

ITEM 2 – Docket Number: 184-15

Applicant or Agent: Susan E. Neely
Property Location: 1421 N. Robertson Street **Zip:** 70116
Bounding Streets: N. Robertson St., Esplanade Av., Kerlerec St., & N. Claiborne Av.
Former Zoning: HMC-2 Historic Marigny/Tremé Commercial District
Current Zoning:² HMR-2 Historic Marigny/Tremé/Bywater Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 629
Proposed Use: Restaurant **Lot Number:** 1
Project Planner: Larry Massey (lwmassey@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 former Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a restaurant with insufficient off-street parking.

Requested Waiver:

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

Required: 9 Spaces Provided: 0 Spaces Waiver: 9 Spaces



² Effective August 12, 2015. Since this application was received prior to the effective date, this request is being reviewed under the former zoning

C. BZA Dockets – Current Comprehensive Zoning Ordinance³ - Unfinished Business

ITEM 3 – Docket Number: 006-16

Applicant or Agent: Kimberly and Will Maranto
Property Location: 1442 North Roman Street **Zip:** 70116
Bounding Streets: North Roman, Columbus, North Derbigny and Kerlerec Streets
Zoning District: HU-RD2 Two family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 762
Proposed Use: Single-Family Residence **Lot Number:** 15-A
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) and Section 21.7 (Table 21.2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit a new construction of a single-family residence on a vacant lot with insufficient rear yard depth, insufficient permeable open space, and excessive balcony encroachment into the rear yard area.

Requested Waivers:

Section 11.3.A.1 (Table 11-2A) - Rear Yard

Required: 13.8' Provided: 9.8' Waiver: 4'

Section 21.7 (Table 21.2) - Balcony Encroachment into Required Rear Yard (Maximum)

Permitted: 4' Provided: 6' Waiver: 2'

Section 11.3.A.1 (Table 11-2A) - Minimum Permeable Open Space (% of Lot area)

Required: 30% Provided: 8.7% Waiver: 21.3%



³ The new Comprehensive Zoning Ordinance became effective August 12, 2015.

Item 4 – Docket Number 013-16

Applicant or Agent: Mathes Brierre Architects; Downtown Star, LLC
Property Location: 1535-1537 Canal Street **Zip:** 70112
Bounding Streets: Canal St., N. Robertson St., N. Villere St., Iberville St.
Zoning District: CBD-7 Bio-Science District; Multi-Modal/Pedestrian Corridor District;
EC- Enhancement Corridor District
Historic District: N/A **Planning District:** 1a
Existing Use: Surface Parking Lot **Square Number:** 187
Proposed Use: Multi-Family Residential **Lot Number:** N/A
Project Planner: Dubravka Gilic (dgiliv@nola.gov)

Request Citation: This request is for variances from the provisions of Article 17, Section 17.3.B.1 and Section 17.3.B.2 and Article 22, Section 22.7 of the Comprehensive Zoning Ordinance.

Request: This is a request to construct a multi-family development in the CBD-7 District and within the Multi-Modal/Pedestrian Corridor of Canal Street with insufficient floor area designated for the required commercial uses; insufficient Canal Street building frontage designated for the required commercial uses, insufficient direct public access to the required commercial uses, and with insufficient off- street loading.

Requested Waivers:

Section 17.3.B.1(a) - Required Uses for Ground Floors of Structures with Frontage on Multi-Modal/Pedestrian Corridors (Canal Street)

Required: 25% of gross floor area Provided: 0% Waiver: 25%

Section 17.3.B.1(b) - Required Direct Public Access to the Ground Floors Uses with Frontage on Multi-Modal/Pedestrian Corridors (Canal Street)

Required: Direct access Provided: none Waiver: Direct access

Section 17.3.B.2(a) - Required Percentage of Canal Street Frontage to be Used by the Required Commercial Uses

Required: 70% Provided: 0% Waiver: 70%

Section 22.7 -Required Off-Street Loading Spaces

Required: 3 spaces Provided: 1 space Waiver: 2 space



ITEM 5 – Docket Number: 015-16

Applicant or Agent: Michelle Gobert
Property Location: 1901-1923 Poydras Street **Zip:** 70112
Bounding Streets: Poydras St., S. Roman St., Perdido St., Bolivar St.
Zoning District: HI Heavy Industrial District
Historic District: N/A **Planning District:** 4
Existing Use: Manufacturing, Light **Square Number:** 463
Proposed Use: Billboard **Lot Number:** 1-6
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for variances from the provisions of Article 24, Section 24.14.B.1 *Allowed Locations (Table 24-3)* and Article 24, Section 24.14.C *Billboard Standards* of the Comprehensive Zoning Ordinance.

Request: This request is to permit a billboard within one thousand feet (1,000') of another billboard and to permit an electronic billboard within one thousand feet (1,000') of another electronic billboard.

Requested Waivers:

Section 24.14.B.1 – Allowed Locations

Required: 1000' Provided: 280' Waiver: 720'

Section 24.14.C – Billboard Standards

Required: 1000' Provided: 280' Waiver: 720'



D. BZA Dockets – Current Comprehensive Zoning Ordinance⁴ - New Business

ITEM 6 – Docket Number: 020-16

Applicant or Agent: Eugene R. Hoskins, Donald Maginnis Architect Inc., Joan Winter
Property Location: 1032 Marais Street **Zip:** 70116
Bounding Streets: North Liberty St., St. Philip St., Ursulines St.
Zoning District: HMR-1 Historic Marigny/Tremé/Bywater Residential District
Historic District: Treme **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 146
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Brooke Perry (btperry@nola.gov)

Request: This is a request for variances from the provisions of Article 9, Section 9.3A (Table 9-2) of the Comprehensive Zoning Ordinance.

Request: This is a request to permit a single-family residence with insufficient minimum lot area, insufficient minimum lot width, and insufficient minimum permeable open space. **(AFTER THE FACT)**

Requested Waivers:

Section 9.3A (Table 9-2) – Minimum Lot Area

Required: 1500 sq. ft. Provided: 1168 sq. ft. Waiver: 332 sq. ft.

Section 9.3A (Table 9-2) – Minimum Lot Width

Required: 25' Provided: 20' Waiver: 5'

Section 9.3A (Table 9-2) – Minimum Permeable Open Space

Required: 15% of lot area Provided: 2.8% Waiver: 12.2%



⁴ The new Comprehensive Zoning Ordinance became effective August 12, 2015.

ITEM 7 – Docket Number: 021-16

Applicant or Agent: Juan M. Lopez, Brandie Bourg
Property Location: 508 River Oaks Drive **Zip:** 70131
Bounding Streets: River Oaks Dr., Anson St., Herschel St., Huntlee St.
Zoning District: S-RS Single Family Residential District
Historic District: N/A **Planning District:** 12
Existing Use: Single-Family Residence **Square Number:** 206
Proposed Use: Single-Family Residence **Lot Number:** 34
Project Planner: Sabine Lebailleux (selebailleux@nola.gov)

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

Request: This is a request to permit a single-family residence with insufficient off-street parking. **(AFTER THE FACT)**

Requested Waiver:

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

Required: 1 space Provided: 0 spaces Waiver: 1 space



ITEM 8 – Docket Number: 022-16

Applicant or Agent: Valerie Skinkus
Property Location: 1440 North Johnson Street **Zip:** 70116
Bounding Streets: N. Johnson St., Kerlerrec St., N. Prieur St., Esplanade Ave.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Two-Family Residence **Square Number:** 898
Proposed Use: Two-Family Residence **Lot Number:** 19
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

Request: This is a request for a variance from the provisions of Article 21, Section 21.6.A.3 of the Comprehensive Zoning Ordinance.

Request: This is a request to permit the construction of an accessory structure that occupies more than forty percent (40%) of the required rear yard area. **(AFTER THE FACT)**

Requested Waiver:

Section 21.6.A.3 – Accessory Structures and Uses (Rear Yard Coverage)

Required: ≤40% Provided: 66% Waiver: 26%



ITEM 9 – Docket Number: 023-16

Applicant or Agent: Claire Pickering, George Hank Nusloch, Colleen Nusloch
Property Location: 448 Audubon Boulevard **Zip:** 70125
Bounding Streets: Audubon Blvd., Fontainebleau Dr., Walmsley Ave., Audubon St.
Zoning District: HU-RS Single-Family Residential District
Historic District: N/A **Planning District:** Planning
Existing Use: Single-Family Residence **Square Number:** 35H
Proposed Use: Single-Family Residence **Lot Number:** 30-B
Project Planner: Larry Massey (lwmassey@nola.gov)

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

Request: This is a request to permit an addition onto an existing single-family residence, resulting in insufficient minimum rear yard setback.

Requested Waiver:

Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback

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



ITEM 10 – Docket Number: 024-16

Applicant or Agent: Jody Rahfield
Property Location: 1543 Pressburg Street **Zip:** 70122
Bounding Streets: Pressburg St., Perlita St. Burbank St. Paris Ave.
Zoning District: S-RS Single Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** X
Proposed Use: Single-Family Residence **Lot Number:** 6
Project Planner: Brittany B DesRocher (bbdesrocher@nola.gov)

Request: This is a request for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This is a request to permit the addition of a garage onto an existing single-family residence, resulting in insufficient minimum side yard setback.

Requested Waiver:

Section 13.3.A.1 (Table 13-2) – Side Yard Setback

Required: 6' Provided: 2' Waiver: 4'



ITEM 11 – Docket Number: 025-16

Applicant or Agent: Doug Kohnke, Jon Drennen
Property Location: 1621 Valmont Street **Zip:** 70115
Bounding Streets: St. Charles Ave., Dufossat St., Dryades St., Valmont St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 445
Proposed Use: Single-Family Residence **Lot Number:** Q & Part of R-1
Project Planner: Tyler Antrup (tjantrup@nola.gov)

Request: This is a request for a variance from the provisions of Article 21, Section 21.6.A.6 of the Comprehensive Zoning Ordinance.

Request: This is a request to permit the renovation of an accessory structure, resulting in excessive height.

Requested Waiver:

Section 21.6.A.6 – Accessory Structures and Uses (Height)

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



ITEM 12 – Docket Number: 026-16

Applicant or Agent: Eskew+Dumez+Ripple Architects, 1148 South Peters, LLC
Property Location: 1148 South Peters Street **Zip:** 70130
Bounding Streets: Convention Center Blvd., Calliope St., S Peters St., Gaiennie St.
Zoning District: CBD-6 Urban Core Neighborhood Intensity Mixed-Use District
Historic District: Warehouse District **Planning District:** 1a
Existing Use: Warehouse **Square Number:** 27
Proposed Use: Mixed-Use **Lot Number:**
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request: This is a request for variances from the provisions of Article 17, Section 17.4.A.2 (Figure 17-2) of the Comprehensive Zoning Ordinance.

Request: This is a request to permit the construction of a hotel with excessive height, insufficient setback from the public right-of-way for a height exceeding seventy-five feet (75'), and with more than ten (10) stories.

Requested Waivers:

Section 17.4.A.2 (Figure 17-2) – Setback Over 75 Feet

Required: 20' Provided: 0' Waiver: 20'

Section 17.4.A.2 (Figure 17-2) – Max Height

Required: 125' Provided: 184' Waiver: 59'

Section 17.4.A.2 (Figure 17-2) – Max Stories

Required: 10 stories Provided: 17 stories Waiver: 7 stories



E. Minor Map Adjustment – New Business**ITEM 13 – Docket Number: 027-16**

Applicant or Agent: Matthew Wilson, Sweet Olive Properties, LLC
Property Location: 3020-3022 St Claude Avenue **Zip:** 70117
Bounding Streets: Montegut St., St. Claude Ave., Clouet St., Rampart St.
Zoning District: HMC-2 Historic Marigny/Tremé/Bywater Commercial District
 & HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Bywater **Planning District:** 7
Existing Use: Two-Family Residence **Square Number:** 363
Proposed Use: Two-Family Residence **Lot Number:** R
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request: This is a request for a minor map adjustment pursuant to Article 4, Section 4.7 of the Comprehensive Zoning Ordinance.

Request: This is a request for a minor map adjustment to the Official Zoning Map to change the zoning for an area measuring approximately 79 feet in width, 122 feet in depth, and 9,638 square feet in area of Lot R from HMR-3 Historic Marigny/Tremé/Bywater Residential District to HMC-2 Historic Marigny/Tremé/Bywater Commercial District.

**ITEM 14 – Docket Number: 028-16**

Applicant or Agent: Matthew Wilson, Sweet Olive Properties, LLC
Property Location: 3014 St Claude Avenue **Zip:** 70117
Bounding Streets: Montegut St., St. Claude Ave., Clouet St., Rampart St.
Zoning District: HMC-2 Historic Marigny/Tremé/Bywater Commercial District
 & HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Bywater **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 363
Proposed Use: Single-Family Residence **Lot Number:** e-2
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request: This is a request for a minor map adjustment pursuant to Article 4, Section 4.7 of the Comprehensive Zoning Ordinance.

Request: This is a request for a minor map adjustment to the Official Zoning Map to change the zoning for an area measuring approximately 32 feet in width, 32 feet in depth, and 1,024 square feet in area of Lot E-2 from HMR-3 Historic Marigny/Tremé/Bywater Residential District to HMC-2 Historic Marigny/Tremé/Bywater Commercial District.



ITEM 15 – Docket Number: 029-16

Applicant or Agent: Matthew Wilson, Sweet Olive Properties, LLC
Property Location: 3030-3032 St Claude Avenue **Zip:** 70117
Bounding Streets: Montegut St., St. Claude Ave., Clouet St., Rampart St.
Zoning District: HMC-2 Historic Marigny/Tremé/Bywater Commercial District
& HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Bywater **Planning District:** 7
Existing Use: Two-Family Residence **Square Number:** 363
Proposed Use: Two-Family Residence **Lot Number:** 10
Project Planner: Brooke Perry (btperry@nola.gov)

Request: This is a request for a minor map adjustment pursuant to Article 4, Section 4.7 of the Comprehensive Zoning Ordinance.

Request: This is a request for a minor map adjustment to the Official Zoning Map to change the zoning for an area measuring approximately 32 feet in width, 122 feet in depth, and 3,904 square feet in area of Lot 10 from HMR-3 Historic Marigny/Tremé/Bywater Residential District to HMC-2 Historic Marigny/Tremé/Bywater Commercial District.

F. Director of Safety and Permits Decision Appeals – Unfinished Business

ITEM 16 – Docket Number: 014-16

Applicant or Agent: Justin B. Schmidt, 515 Toulouse LLC
Property Location: 515-517 Toulouse Street & 516 **Zip:** 70130
Bounding Streets: Toulouse St., Decatur St., Chartres St., & Wilkinson St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Vacant Building **Square Number:** 26
Proposed Use: Mixed-Use **Lot Number:** 10, 11, 12, 16, B, A

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 determination that non-conforming building height cannot be extended to buildings on adjacent lots through resubdivision.

G. Adjournment