



BOARD OF ZONING ADJUSTMENTS

Final Agenda

January 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 **January 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.

- 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 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: 157-15

Applicant or Agent: Lawrence J. Springer, John F. Wheelock, Jr. and Melissa G. Wheelock
Property Location: 2031 State Street **Zip:** 70118
Bounding Streets: State St., Feret St., Richmond Pl., & Loyola Av.
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:** Bloomingdale
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: 51% (540 sq. ft.) Waiver: 11% (120 sq. ft.)

**ITEM 3 – Docket Number: 169-15**

Applicant or Agent: Magazine Race, LLC
Property Location: 1476 Magazine Street **Zip:** 70130
Bounding Streets: Magazine St., Race St., Constance St., & Euterpe St.
Former Zoning: B-1A Neighborhood Business District
Current Zoning: HU-B1 Neighborhood Business District
Historic District: Lower Garden District (Local HD) **Planning District:** 2
Existing Use: Parking Lot **Square Number:** 144
Proposed Use: Multi-Family Residence **Lot Number:** 1, 2

Request Citation: This request is for special exceptions from the provisions of Article 5, Section 5.5.7 (Table 5.E) of the former Comprehensive Zoning Ordinance.

Request: To permit the construction of a multi-family residence with insufficient side yard setback and insufficient rear yard setback.

Requested Waivers:**Section 5.5.7 (Table 5.E) – Side Yard Setback**

Required: 5' Provided: 3'-6" Waiver: 1'-6"

Section 5.5.7 (Table 5.E) – Rear Yard Setback

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



ITEM 4 – Docket Number: 184-15

Applicant or Agent: Susan Neely, Christopher Meehan
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: HMR-3 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 Waivers:**Section 15.2.1 (Table 15.A) – Off-Street Parking**

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

C. BZA Dockets – Current Comprehensive Zoning Ordinance² - Unfinished Business**ITEM 5 – Docket Number: 177-15**

Applicant or Agent: Kamal And Hend, LLC , Kamal Dali, **Zip:** 70124
Property Location: 6186-6188 Bellaire Drive
Bounding Streets: Bellaire Dr., 18th St., 20th St, & 17th St. Canal
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** NA
Proposed Use: Single-Family Residence **Lot Number:** 145, 145A
Project Planner: Kelly Butler (kgbutler@nola.gov)

Request Citation: This request is for variances from the provisions of Article 21, Section 21.6.AA.1 and Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with excessive front yard stair projection and front yard paving. **(AFTER THE FACT)**

Requested Waivers:**Section 13.3.A.1 (Table 13-2) – Front Yard Paving**

Permitted: 40% (368 sq. ft.) Proposed: 70% (644 sq. ft.) Waiver: 30% (276 sq. ft.)

Section 21.6.AA.1 – Porches and Steps and Stoops (Stair Projection)

Required: 6' Proposed: 9' Waiver: 3'



² The new Comprehensive Zoning Ordinance became effective August 12, 2015.

ITEM 6 – Docket Number: 195-15

Applicant or Agent: Governor House of New Orleans, LLC, Richard Choate
Property Location: 1630 Canal Street **Zip:** 70112
Bounding Streets: Canal St., S. Claiborne Av., Cleveland Av., & S. Robertson St.
Zoning District: CBD-7 Bio-Science District
Historic District: N/A **Planning District:** 1a
Existing Use: Hotel/Motel **Square Number:** 404
Proposed Use: Hotel/Motel **Lot Number:** A-1
Project Planner: Arlen D Brunson (adbrunson@nola.gov)

Request Citation: This request is for variances from the provisions of Article 22, Section 22.10.B.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of a hotel with insufficient loading space width and vertical clearance.

Requested Waivers:**Section 22.10.B.1 –Dimensions-Width**

Required: 12' Provided: 11'-2" Waiver: 10"

Section 22.10.B.1 –Dimensions-Vertical Clearance

Required: 14' Provided: 10'-4" Waiver: 3'-8"

**ITEM 7 – Docket Number: 203-15**

Applicant or Agent: George Jeansonne, Cabn Properties LLC
Property Location: 5317 Wickfield Drive **Zip:** 70122
Bounding Streets: Wickfield Dr., Rapides St., Wingate Dr., & Filmore Ave.
Zoning District: S-RS Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Two-Family Residence **Square Number:** 4
Proposed Use: Two-Family Residence **Lot Number:** 18
Project Planner: Sabine Lebailleur (selebailleur@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) and Article 21, Section 21.6.T.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence creating insufficient front yard and to permit the placement of a mechanical equipment platform in the side yard area with less than two feet (2') open to the sky between the farthest projection and the lot line. **(AFTER THE FACT)**

Requested Waivers:**Section 13.3.A.1 (Table 13.2) –Bulk & Yard Regulations (Front Yard)**

Required: 20' Provided: 17'-6" Waiver: 2'-4"

Section 21.6.T.1 – Mechanical Equipment

Required: 2' Provided: 1'-9" Waiver: 3"

ITEM 8 – Docket Number: 206-15**WITHDRAWN**

Applicant or Agent: Tarun Jolly, Natasha Shah
Property Location: 3 Audubon Place **Zip:** 70118
Bounding Streets: Audubon Pl., St. Charles Ave., Freret St., & Tulane Univ.
Zoning District: HU-RS Single-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 1
Proposed Use: Single-Family Residence **Lot Number:** 3
Project Planner: Larry Massey (lwmassey@nola.gov)

Requested Citation: This request is for a variance from the provisions of Article 21, Section 21.6.N.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a fence with excessive height on the sides of the property.

Requested Waiver:**Section 21.6.N.1- General Fence Regulations**

Required: 7' Provided: 10' Waiver: 3'

D. BZA Dockets – Current Comprehensive Zoning Ordinance³ - New Business**ITEM 9 – Docket Number: 001-16**

Applicant or Agent: Leonard Washington, Ron Every, Derrick Lancaster
Property Location: 1739-1741 Lizardi Street **Zip:** 70117
Bounding Streets: Lizardi St., N. Roman St., N. Derbigny St., & Egan St.
Zoning District: S-RD Two-Family Residential District
Historic District: N/A **Planning District:** 8
Existing Use: Vacant Lot **Square Number:** 812
Proposed Use: Two-Family Residence **Lot Number:** 11
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

Request Citation: This request is for variances from the provisions of Article 13, (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the future development of a two-family residence with insufficient minimum lot area and insufficient minimum lot width.

Requested Waivers:**Article 13 – (Table 13-2) – Lot Area Requirements (Two-Family Dwelling)**

Required: 5,000 sq. ft. Provided: 4,968 sq. ft. Waiver: 32 sq. ft.

Article 13 – (Table 13-2) Lot Width Requirements (Two-Family Dwelling)

Required: 50' Provided: 41'4" Waiver: 8'6"



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

ITEM 10 – Docket Number: 002-16

Applicant or Agent: Richard Ferber, Clayton Ventures, LLC, Debra Ferber
Property Location: 6712 Orleans Avenue **Zip:** 70124
Bounding Streets: Orleans Ave., Fillmore Ave., Gen. Haig St., & Chapelle St.
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 128
Proposed Use: Single-Family Residence **Lot Number:** 31 & 32
Project Planner: Laura Banos (lbbanos@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 21, Section 21.6.A.7 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a garage with insufficient setback from the right lot line. **(AFTER THE FACT)**

Requested Waiver:**Section 21.6.A.7 – Detached Accessory Structures (Setback)**

Required: 3' from any lot line Provided: 2'-6" (right side) Waiver: 6"

**ITEM 11 – Docket Number: 003-16**

Applicant or Agent: Entergy New Orleans Inc., Blattner Energy, Inc.
Property Location: 5400 Dwyer Road **Zip:** 70126
Bounding Streets: Chef Menteur Hwy., Jourdan Rd., Downman Rd., & Dwyer Rd.
Zoning District: HI Heavy Industrial District
Historic District: N/A **Planning District:** 9
Existing Use: Vacant Lot **Square Number:** Patterson Gen.
Proposed Use: Solar Energy System **Lot Number:** 27-31
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 21, Article 20.3.DDD of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a solar energy system that is not screened with a masonry wall or solid fence.

Requested Waivers:**Section 20.3.DDD– Solar Energy System**

Required: Masonry wall or solid fence
 Provided: 6' Chain link fence with 1' barbed wire
 Waiver: Masonry wall or solid fence



ITEM 12 – Docket Number: 004-16

Applicant or Agent: Property Holding Company Of Crescent City, LLC, Chenevert Architects, LLC
Property Location: 1420 General Taylor Street **Zip:** 70115
Bounding Streets: Gen. Taylor St., Pitt St., Constantinople St., & Prytania St.
Zoning District: HU-RM1 Multi-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Residential Care Facility **Square Number:** 372
Proposed Use: Residential Care Facility **Lot Number:** T
Project Planner: Tyler Antrup (tjantrup@nola.gov)

Request Citation: This request is for variances from the off-street parking requirements of Article 22, Section 22.4.A (Table 22-1) and from the maximum height requirements of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

Request: To permit the renovation of a residential care facility with insufficient off-street parking and excessive building height.

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

Required: 54 spaces Provided: 46 spaces grandfathered Waiver: 8 spaces

Section 11.3.A.1 (Table 11-2A) – Maximum Building Height

Required: 40' Provided: 68' Waiver: 28'

**ITEM 13 – Docket Number: 005-16**

Applicant or Agent: D & D Realty Of New Orleans Inc., Darlene Sentmore
Property Location: 12 Lizardi Street **Zip:** 70117
Bounding Streets: Lizardi St., N. Miro St., N. Galvez St., & Forstall St.
Zoning District: S-RD Two-Family Residential District
Historic District: N/A **Planning District:** 8
Existing Use: Vacant Lot **Square Number:** 1098
Proposed Use: Two-Family Residence **Lot Number:** 15
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) and Article 22, Section 22.4 (Table 22-1) of the Comprehensive Zoning Ordinance.

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

Requested Waivers:**Section 13.3.A.1 (Table 13-2) – Minimum Lot Area**

Required: 5,000 sq. ft. Provided: 3,286 sq. ft. Waiver: 714 sq. ft.

Section 13.3.A.1 (Table 13-2) - Minimum Lot Width

Required: 50' Provided: 31' Waiver: 19'

Section 22.4 (Table 22-1) – Off-Street Parking

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

ITEM 14 – Docket Number: 006-16

Applicant or Agent: Kimberly Maranto, Will Maranto
Property Location: 1442 N. Roman Street **Zip:** 70116
Bounding Streets: N. Roman St., Kerlerec St., N. Derbigny St., & Columbus St.
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 the construction of a single-family residence on a 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%



ITEM 15 – Docket Number: 007-16

Applicant or Agent: Gary M. Lavigne, Joseph M. Lavinge
Property Location: 1303-1319 Desire Street **Zip:** 70117
Bounding Streets: Desire St., Urquhart St., N. Villere St., & Gallier St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 7
Existing Use: Vacant Lot **Square Number:** 528
Proposed Use: Single-Family Residence **Lot Number:** X
Project Planner: Arlen D Brunson (adbrunson@nola.gov)

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

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

Requested Waivers:

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

Required: 5'-0" Provided: 3'-6" Waiver: 1'-6"

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

Required: 6'-11" Provided: 3'-2" Waiver: 3'-9"

E. Adjournment