



# BOARD OF ZONING ADJUSTMENTS

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Draft Agenda

March 14, 2016

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## **MEETING INFORMATION**

### Location

#### **City Council Chambers**

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

### Time

10:00 a.m.

### Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Thomas McCall Screen

Jaime Ramiro Diaz

Alfonso Gonzalez II

Myra Bercy

Mary Harper Malone

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 **March 24, 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](http://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](mailto: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 Ordinance<sup>1</sup> - Unfinished Business

**ITEM 1 – Docket Number: 081-15** **(WILL NOT BE HEARD UNTIL AFTER 11 AM)**  
**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



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

**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.)



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

**ITEM 3 – Docket Number: 195-15**

**Applicant or Agent:** Governor House of New Orleans, LLC, Richard Choate  
**Property Location:** 1630 Canal Street **Zip:**  
**Bounding Streets:** Canal St., S. Claiborne Ave., Cleveland Ave., & 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:** Brittany DesRocher (bbdesrocher@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"



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

**Item 4 – 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 5 – Docket Number: 008-16**

**Applicant or Agent:** Byron Mouton, Alex and Arwen Podesta  
**Property Location:** 622 South Alexander Street **Zip:** 70119  
**Bounding Streets:** S. Alexander St., D’Hemecourt St., S. Hennessey St., & Ulloa St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 4  
**Existing Use:** Single-Family Residence **Square Number:** 796  
**Proposed Use:** Single-Family Residence **Lot Number:** 13  
**Project Planner:** Nicolette P. Jones (nipjones@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 11, Section 11.3.A.2a and Section 11.3.B.3a of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with an excessive front yard setback and parking in the front yard.

**Requested Waivers:**

**Section 11.3.A.2a – Front Yard Build-To Line Requirement**

Required: < 20’                      Provided: 123’                      Waiver: 103’

**Section 11.3.B.3a – Parking Areas in Front Yards**

Required: Prohibited                      Provided: 4 Spaces                      Waiver: 4 Spaces



**ITEM 6 – Docket Number: 012-16**

**Applicant or Agent:** Kevin J O’Shaughnessy, Matthew Emerson  
**Property Location:** 929 Filmore Avenue **Zip:** 70124  
**Bounding Streets:** Filmore Ave., Argonne St., Chapelle St., & Marshall Foch St.  
**Zoning District:** S-LRS1 Lakeview Single-Family Residential District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Vacant Lot **Square Number:** 126  
**Proposed Use:** Single-Family Residence **Lot Number:** G  
**Project Planner:** Larry Massey (lwmassey@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 21, Section 21.6.T.1 and Section 21.6.EE.1 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with a swimming pool and mechanical equipment in the required corner side yard setback.

**Requested Waivers**

**Section 21.6.T – Mechanical Equipment**

**Required:** No mechanical equipment with a required corner side yard setback

**Provided:** Mechanical equipment within a required corner side yard setback

**Waiver:** Mechanical equipment within a required corner side yard setback

**Section 21.6.EE.1 – Swimming Pools – Location**

**Required:** No swimming pools within a required corner side yard setback

**Provided:** Swimming pool in the required corner side yard setback

**Waiver:** Swimming pool in the required corner side yard setback



**ITEM 7 – 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:** Vacant Lot **Square Number:** 187  
**Proposed Use:** Multi-Family Residential **Lot Number:** N/A  
**Project Planner:** Dubravka Gilic (dgilic@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





**D. BZA Dockets – Current Comprehensive Zoning Ordinance<sup>3</sup> - New Business**

**ITEM 8 – 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:** Manufacturing, Light **Lot Number:** 1-6  
**Project Planner:** Cameron Bonnett (cdbonnett@nola.gov)

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

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

**Requested Waivers:**

**Section 24.14.B.2 – Prohibited Locations**

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

**Section 24.14.C. – Billboard Standards**

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



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

**ITEM 9 – Docket Number: 016-16**

**Applicant or Agent:** Thomas Desormeaux  
**Property Location:** 6155-6157 Catina St **Zip:** 70124  
**Bounding Streets:** Catina St., French St., Milne St., & Ringold St.  
**Zoning District:** S-LRS1 Lakeview Single-Family Residential District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Vacant Lot **Square Number:** 280  
**Proposed Use:** Single-Family Residence **Lot Number:** C  
**Project Planner:** Valerie McMillan (vamcmillan@nola.gov)

**Request:** This is a request for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 3-2) of the Comprehensive Zoning Ordinance.

**Request:** This is a request to permit a single-family residence with insufficient minimum front yard setback.

**Requested Waiver:**

**Section 13.3.A.1 (Table 3-2) – Front Yard Setback**

Required: 20'                      Provided: 13'                      Waiver: 7'



**ITEM 10 – Docket Number: 017-16**

**Applicant or Agent:** The City Of New Orleans, Alton O. Davis  
**Property Location:** 8311 Forshey St, 3300 Dante St **Zip:**  
**Bounding Streets:** Forshey St., Joilet St., Olive St., & Carrollton Ave.  
**Zoning District:** OS-N Neighborhood Open Space District HU-B1A  
**Historic District:** N/A **Planning District:** 4  
**Existing Use:** Parks and Playgrounds **Square Number:** 507  
**Proposed Use:** Parks and Playgrounds **Lot Number:**  
**Project Planner:** Tyler Antrup (tjantrup@nola.gov)

**Request:** This is a request for a variance from the provisions of Article 7, Section 7.3 (Table 7-2) of the Comprehensive Zoning Ordinance.

**Request:** This is a request to permit the reconstruction of a concession stand with insufficient minimum front yard setback.

**Requested Waiver:**

**Section 7.3 (Table 7-2) – Front Yard Setback**

Required: 15'                      Provided: 0'                      Waiver: 15'



**ITEM 11 – Docket Number: 018-16**

**Applicant or Agent:** Stephen W. Rochon, Shirley A. Rochon  
**Property Location:** 4818 Camp St **Zip:** 70115  
**Bounding Streets:** Camp St., Bordeaux St., Lyons St., & Magazine St.  
**Zoning District:** HU-RD2 Two-Family Residential District N/A  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single-Family Residence **Square Number:** 236  
**Proposed Use:** Single-Family Residence **Lot Number:** 5, 6 and pt. 7  
**Project Planner:** Danica Adams (dcadams@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 the addition of a covered rear porch 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: 15'                      Provided: 10'                      Waiver: 5'

**E. Minor Map Adjustment – New Business**

**ITEM 12 – Docket Number: 019-16**

**Applicant or Agent:** Cheatau De Notre Dame, Denechaud & Denechaud, LLC  
**Property Location:** 2925 S Carrollton Ave, 2925 Burdette **Zip:**  
**Bounding Streets:** S. Carrollton Ave., Fig St., Burdette St., Walmsley Ave.  
**Zoning District:** EC Educational Campus District, MS Medical Service District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Residential Care Facility **Square Number:** 422, -2  
**Proposed Use:** Residential Care Facility **Lot Number:** C1A  
**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 18.6' in width, 126.8' in depth, 2,268 sq. ft. in area of proposed Lot C1A from EC Educational Campus District to MS Medical Service District in conjunction with Subdivision 155-15.

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

**ITEM 14 – Docket Number: 014-16**

**(WILL NOT BE HEARD UNTIL AFTER 11 AM)**

**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:** VCC-2 Vieux Carré Commercial District **Planning District:** Planning  
**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**