



BOARD OF ZONING ADJUSTMENTS

Draft Agenda

September 12, 2016

MEETING INFORMATION

Location

City Council Chambers

1st 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

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

Michael K. Broussard

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 **September 22, 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. Election of Officers
- C. BZA Dockets – Former Comprehensive Zoning Ordinance¹ - Unfinished Business

ITEM 1 – Docket Number: 157-15

Applicant or Agent: John F. Wheelock, Jr.
Property Location: 2031 State Street **Zip:** 70118
Bounding Streets: State St., Freret St., Richmond Pl., & Loyola Ave.
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:** LSS
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: 53% (563 sq. ft.) Waiver: 13% (163 sq. ft.)



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.

D. BZA Dockets – Current Comprehensive Zoning Ordinance² - Unfinished Business**ITEM 2 – Docket Number: 044-16**

Applicant or Agent: The City Of New Orleans
Property Location: 3950 Alvar Street **Zip:** 70126
Bounding Streets: Alvar St., Chickasaw St., Desire Pkwy., Almonaster Ave.
Zoning District: LI Light Industrial District
Historic District: N/A **Planning District:** 7
Existing Use: Vacant Lot **Square Number:** 31
Proposed Use: Motor Vehicle Service & Repair, Minor **Lot Number:** T
Project Planner: Tyler Antrup (tjantrup@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 16, Section 16.3.A.2 (a) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a motor vehicle repair facility with an excessive front yard setback.

Requested Waiver:**Section 16.3.A.2 (a) – Front Yard Build To Line**

Permitted: 20 ft. maximum Provided: 148 ft. Waiver: 128 ft.

**ITEM 3 – Docket Number: 047-16**

Applicant or Agent: Gebre E. Amare, Michael Tiffit
Property Location: 1544 Gentilly Boulevard **Zip:** 70119
Bounding Streets: Gentilly Blvd., Laharpe St., Paul Morphy St., Bayou Rd.
Zoning District: HU-B1 Neighborhood Business District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 1530
Proposed Use: Retail Goods Establishment **Lot Number:** X 6 & 7
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a retail goods establishment with insufficient rear yard depth. **(AFTER THE FACT)**

Requested Waiver:**Section 12.3.A.1 (Table 12-2) – Rear Yard Setback**

Required: 15' Provided: 5'-½" Waiver: 9'-11 ½"



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

E. BZA Dockets – Current Comprehensive Zoning Ordinance³ - New Business

ITEM 4 – Docket Number: 060-16

Applicant or Agent: New Orleans Redevelopment Fund 2, LLC
Property Location: 2620-2622 Third Street **Zip:** 70113
Bounding Streets: 3rd St., Magnolia St., 4th St., S. Robertson St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Two-Family Residence **Square Number:** 366
Proposed Use: Two-Family Residence **Lot Number:** 18A
Project Planner: Tyler Antrup (tjantrup@nola.gov)

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

Request: This request is in conjunction with Subdivision Docket 047/16 to permit the creation of a lot with insufficient minimum lot area.

Requested Waiver:

Section 11.3.A.1 – Minimum Lot Area

Required: 1,800 sq. ft./du Provided: 959.49 sq. ft./du Waiver: 840.52 sq. ft. /du



ITEM 5 – Docket Number: 061-16

Applicant or Agent: New Orleans Redevelopment Fund 2, LLC
Property Location: 2624-2626 Third Street **Zip:** 70113
Bounding Streets: 3rd St., Magnolia St., 4th St., S. Robertson St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 366
Proposed Use: Two-Family Residence **Lot Number:** 17A
Project Planner: Tyler Antrup (tjantrup@nola.gov)

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

Request: This request is in conjunction with Subdivision Docket 047/16 to permit the creation of a lot with insufficient minimum lot area.

Requested Waiver:

Section 11.3.A.1 (Table 11-2A) – Minimum Lot Area

Required: 1,800 sq. ft./du Provided: 982.66 sq. ft./du Waiver: 817.33 sq. ft./du



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

ITEM 6 – Docket Number: 062-16

Applicant or Agent: Bert Turner, Mouton Long Turner Architects, 226 Decatur LLC
Property Location: 226 Decatur Street **Zip:** 70130
Bounding Streets: Decatur St., Iberville St., Clinton St., Bienville St.
Zoning District: VCE-1 Vieux Carré Entertainment District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Vacant Building **Square Number:** 7
Proposed Use: Mixed-Use **Lot Number:** 2
Project Planner: Brittany B. DesRocher (bbdesrocher@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 10, Section 10.5.A of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of an existing building into a six-family dwelling with insufficient minimum lot area per dwelling unit.

Requested Waiver:

Section 10.5.A –Residential Conversions Minimum Dwelling Unit Size

Required: 400 sq. ft./du Provided: 336 sq. ft./du Waiver: 64 sq. ft./du



ITEM 7 – Docket Number: 063-16

Applicant or Agent: General Degaulle Drive Algiers Healthcare
Property Location: 2908 General De Gaulle Drive **Zip:** 70114
Bounding Streets: General De Gaulle Dr., Sandra Dr., Life Center Blvd.
Zoning District: C-2 Auto-Oriented Commercial District
Historic District: N/A **Planning District:** 12
Existing Use: Vacant Lot **Square Number:** 23
Proposed Use: Medical/Dental Clinic **Lot Number:** N5
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for variances from the provisions of Article 15, Section 15.3.A.2 (a) and Article 23, Section 23.11.A of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a medical clinic with an excessive front yard setback and a waiver of the parkway trees requirement.

Requested Waivers:

Section 15.3.A.2 (a) – Front Yard Build-to Line Requirement

Required: 20 ft. Provided: 34 ft. Waiver: 14 ft.

Section 23.11.A – Parkway Trees

Required: (4) 1 every 40 ft. Provided: 1 Waiver: 3



ITEM 8 – Docket Number: 064-16

Applicant or Agent: Aaron R. Dare
Property Location: 965 Harding Drive **Zip:** 70119
Bounding Streets: Harding Dr., Delgado Dr., Wilson Dr., Dumaine St.
Zoning District: HU-RD1 Two-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** D
Proposed Use: Two-Family Residence **Lot Number:** 30, 31
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

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

Request: This request is to permit the conversion of a single-family residence to a two-family residence, resulting in insufficient off-street parking.

Requested Waiver:

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

Required: 2 Provided: 1 Waiver: 1



ITEM 9 – Docket Number: 065-16

Applicant or Agent: Christopher E. Johnson, Bianca M. Davis
Property Location: 3327 Live Oak Street **Zip:** 70118
Bounding Streets: Live Oak St., Forshey St., Cherry St., Olive St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 518
Proposed Use: Two-Family Residence **Lot Number:** L
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 22, Section 22.4.A (Table 22-1) and Section 11.3.A.2a of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a two-family residence with an insufficient front yard depth and insufficient off-street parking.

Requested Waivers:

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

Required: 2 Provided: 1 Waiver: 1

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

Required: 20 ft. +/- 3 ft. Provided: 15 ft. Waiver: 2 ft.



ITEM 10 – Docket Number: 066-16

Applicant or Agent: RLH Investments LLC
Property Location: 1132 Jena Street **Zip:** 70115
Bounding Streets: Jena St., Coliseum St., Cadiz St., Chestnut St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Two-Family Residence **Square Number:** 291
Proposed Use: Two-Family Residence **Lot Number:** 9A
Project Planner: Sabine Lebailleux (selebailleux@nola.gov)

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

Request: This request is to permit a waiver of the minimum rear yard depth (**AFTER THE FACT**).

Requested Waivers:**Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback**

Required: 15 ft. Provided: 12 ft., 8 in. Waiver: 2 ft., 4 in.

**ITEM 11 – Docket Number: 067-16**

Applicant or Agent: Charles McKay, Edward J. Weber
Property Location: 1935 Jourdan Avenue **Zip:** 70117
Bounding Streets: Jourdan Ave., N. Prieur St., Deslonde St., N. Johnson St.
Zoning District: S-RD Two-Family Residential District
Historic District: N/A **Planning District:** 8
Existing Use: Vacant Lot **Square Number:** 948
Proposed Use: Single-Family Residence **Lot Number:** 8
Project Planner: Kelly Butler (kgbutler@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 22, Section 22.11.A.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit a waiver of the residential driveway's minimum distance from the side lot line and the minimum required width of a parking space.

Requested Waivers:**Section 22.11.A.1 – Residential Driveways**

Required: 1 ft. Provided: 0.6 ft. Waiver: 0.4 ft.

Section 22.8.C (Figure 22-2) – Dimensions of Vehicle Parking Spaces

Required: 8 ft., 6 in. Provided: 8 ft. Waiver: 6 in.

Section 22.11.D – Parking Pad Design

Required: 3 ft. Provided: 0 ft. Waiver: 3 ft.



ITEM 12 – Docket Number: 068-16

Applicant or Agent: Patrick Crain, Crain Family Trust
Property Location: 2721 St. Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., 4th St., Carondelet, St., Washington Ave.
Zoning District: HU-RM1 Multi-Family Residential District
Historic District: Garden District, St. Charles Avenue **Planning District:** 2
Existing Use: Multi-Family Residence **Square Number:** 230
Proposed Use: Multi-Family Residence **Lot Number:** 3B
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

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

Request: This request is to permit an addition onto an existing multi-family residence resulting in insufficient minimum side yard width.

Requested Waivers:

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

Required: 10 ft. Provided: 0 ft. (grandfathered 6.4) Waiver: 3.6 ft.



F. Reasonable Accommodation Appeals – New Business

ITEM 13 – Docket Number: RA003-16

Applicant or Agent: Justin B. Schmidt, Christopher D. Villere
Property Location: 1467 Arabella Street **Zip:** 70115
Bounding Streets: Arabella St., Hurst St., Joseph St., & Garfield St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 58
Proposed Use: Single-Family Residence **Lot Number:** A

Request Citation: This request is for a reasonable accommodation from the provisions Article 11, Section 11.3.A.1 (Table 11-2A), and Article 22, Section 22.8.B.1(b), Section 22.11.B1, Section 22.11.B1.a.i, Section 22.11.B1.a.iii, Section 22.11.D.1, and Section 22.11.D.2 of the Comprehensive Zoning Ordinance.

Request: This request is to permit an off-street parking space in a required front yard with excessive impervious surface, excessive number of curb cuts, and insufficient lot width for a circular drive (**AFTER THE FACT**).

Requested Accommodations:

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

Permitted: 40% Provided: 85% Waiver: 45%

Section 22.8.B.1(b) - Permitted Vehicle Parking Locations (Residential Uses - Front Yard)

Permitted: 0 Spaces Provided: 1 Space Waiver: 1 Space

Section 22.11.B1 - Curb Cuts

Permitted: 1 curb cut Provided: 2 curb cuts Waiver: 1 curb cut

Section 22.11.B1.a.i - Curb Cuts

Required: 0 spaces in front yard Provided: 1 space Waiver: 1 space

Section 22.11.B1.a.iii - Curb Cuts

Required: 50' lot width Provided: 45' Waiver: 5'

Section 22.11.D.1- Parking Pad Design for Single- and Two-Family Residential

Permitted: 0 spaces in front yard Provided: 1 space Waiver: 1 space

Section 22.11.D2- Parking Pad Design for Single- and Two-Family Residential

Permitted: 0 spaces in front yard Provided: 1 space Waiver: 1 space



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

ITEM 14 – Docket Number: 056-16

Applicant or Agent: Leonard Washington, Michael Tiff
Property Location: 1421-1423 Marais Street **Zip:** 70116
Bounding Streets: Kerlerec St., N. Villere St., Esplanade Ave., Marais St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Two-Family Residence **Square Number:** 501
Proposed Use: Multi-Family Residence **Lot Number:** F19

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 loss of non-conforming use of a nine-plex.



H. Adjournment