



BOARD OF ZONING ADJUSTMENTS

Final Agenda

December 11, 2017

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 **December 21, 2017**.

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 box provided. 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. Variances – Unfinished Business

ITEM 1 – Docket Number: 064-17

Applicant or Agent: Vagno Santos
Property Location: 2518 St. Ann Street **Zip:** 70119
Bounding Streets: St. Ann St., Orleans Ave., N. Rocheblave St., N. Dorgenois St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 324
Proposed Use: Single-Family Residence **Lot Number:** 144A
Project Planner: Robin Jones (rcjones@nola.gov)

Request Citation: This request is for variances 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 141-16 to permit the creation of a lot with insufficient minimum lot area and insufficient minimum lot depth.

Requested Waivers:

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

Required: 2,250 sf Provided: 2,237.5 sf Waiver: 12.5 sf

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Depth

Required: 90' Provided: 60.5' Waiver: 29.5'



ITEM 4 – Docket Number: 085-17

WITHDRAWN

Applicant or Agent: MMVNS LLC, Zella V. May
Property Location: 1812-1814 Martin Luther King, Jr. Boulevard **Zip:** 70113
Bounding Streets: Martin Luther King, Jr. Blvd., Baronne St., Terpsichore St., Dryades St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: N/A **Planning District:** 2
Existing Use: Multi-Family Residence **Square Number:** 249
Proposed Use: Multi-Family Residence **Lot Number:** 7 or 5
Project Planner: Aspen Nero (asnero@nola.gov)

Request Citation: This request is for variances from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of a two-family residence to a multi-family residence with insufficient minimum lot area per dwelling unit and insufficient off-street parking.

Requested Waivers:

Article 12, Section 12.3.A.1 (Table 12-2) – Minimum Lot Area

Required: 3,000 sf Provided: 1,864 sf Grandfathered: 2,000 sf Waiver: 1,000 sf

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

Required: 1 space (2 grandfathered) Provided: 0 spaces Waiver: 1 space



C. Variances – New Business

ITEM 5 – Docket Number: 092-17

Applicant or Agent: Glynn G. Hyer
Property Location: 2916 St. Thomas Street **Zip:** 70115
Bounding Streets: St. Thomas St., Sixth St., Tchoupitloulas St., Seventh St.,
Zoning District: MU-1 Medium Intensity Mixed-Use District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 22
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Amos Jasper Wright (ajwright@nola.gov)

Request Citation: This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) and Article 22, Section 22.4.A of the Comprehensive Zoning Ordinance.

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

Requested Waivers:

Article 15, Section 15.3.A.1 (Table 15-2) - Minimum Lot Area

Required: 3,000 sq. ft. Proposed: 1,533 sq. ft. Waiver: 1,500 sq. ft.

Article 15, Section 15.3.A.1 (Table 15-2) – Rear Yard Setback

Required: 20' Proposed: 10' Waiver: 10'

Article 22, Section 22.4.A Table 22-1 – Required Off-Street Vehicle Parking Spaces

Required: 1 Proposed: 0 Waiver: 1



ITEM 6– Docket Number: 093-17

Applicant or Agent: 2820 Tulane LLC, Raymond C. Bergeron, Jr. Architects
Property Location: 2900 Tulane Avenue **Zip:** 70119
Bounding Streets: Tulane Ave., S. Dupre St., Gravier St., S. Gayoso St.,
Zoning District: MU-2 High Intensity Mixed-Use District
Historic District: Mid-City **Planning District:** 4
Existing Use: Vacant Building **Square Number:** 626
Proposed Use: Multi-Family Residence **Lot Number:** 25A
Project Planner: Travis Martin (trlmartin@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) and the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of an existing building into a multi-family dwelling (5-unit) with insufficient lot area per dwelling unit and insufficient off-street parking.

Requested Waiver:

Article 15, Section 15.3.A.1 (Table 15-2) - Minimum Lot Area
 Required: 800 sf/du Proposed: 562.8 sf/du Waiver: 237.2 sf/du
Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking
 Required: 5 spaces Proposed: 4 spaces Waiver: 1 space



ITEM 7 – Docket Number: 094-17

Applicant or Agent: Doxum, LLC, Chris Ancira
Property Location: 5304-06 Constance Street **Zip:** 70115
Bounding Streets: Constance St., Valmont St., Laurel St., Leontine St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 185
Proposed Use: Single-Family Residence **Lot Number:** 13B, 13C
Project Planner: Robin Jones (rcjones@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 130-17 to permit the creation of a lot with insufficient minimum lot width.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Width
 Required: 30 ft. Proposed: 28 ft., 1¼ in. Waiver: 1 ft., 10¼ in.



ITEM 8 – Docket Number: 095-17

Applicant or Agent: Brian Gille Architects, Ltd., Benjamin Street, LLC, Dr. Gary Wasserman
Property Location: 301 Cherokee Street **Zip:** 70118
Bounding Streets: Millaudon St., Benjamin St., Cherokee St., Dominican St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 44
Proposed Use: Single-Family Residence **Lot Number:** 10
Project Planner: Nicolette P. Jones (nicolette.jones@nola.gov)

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

Request: This request is to permit the construction of a detached garage resulting in excessive rear yard coverage, insufficient rear yard setback, and insufficient corner side yard setback.

Requested Waivers:**Article 21, Section 21.6.A.3 – Accessory Structures and Uses (Rear Yard Coverage)**

Required: 40% maximum Proposed: 72% Waiver: 32%

Article 21, Section 21.6.A.8 – Accessory Structures and Uses (Corner Lots)

Required: 3 ft. Proposed: 0 ft. Waiver: 3 ft.

Article 21, Section 21.6.A.8 – Accessory Structures and Uses (Corner Lots)

Required: 20'-6" Proposed: 3'-6" Waiver: 17'

**ITEM 9 – Docket Number: 096-17**

Applicant or Agent: Brian Gille Architects, Ltd., Dr. Daniel and Laurel Harlin
Property Location: 512 Walnut Street **Zip:** 70118
Bounding Streets: Walnut St., Benjamin St., Audubon St., Dominican St.
Zoning District: HU-RS Historic Urban Single-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 61
Proposed Use: Single-Family Residence **Lot Number:** C
Project Planner: Haley Delery (hdelery@nola.gov)

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

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

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

Required: 20 ft. Proposed: 17'-6" Waiver: 2'-6"



ITEM 10 – Docket Number: 097-17

Applicant or Agent: 516 Conti LLC, Dave Hill
Property Location: 516 Conti Street **Zip:** 70130
Bounding Streets: Conti St., Decatur St., Bienville St., Chartres St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Vacant Building **Square Number:** 29
Proposed Use: Mixed-Use **Lot Number:** 13-A-1
Project Planner: Aspen Nero (asnero@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 10, Section 10.3.A (Table 10-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of existing buildings into a multi-family dwelling (9-unit), with insufficient lot area per dwelling unit.

Requested Waiver:

Article 10, Section 10.3.A (Table 10-2) – Minimum Lot Area

Required: 600 sf/du

Proposed: 491 sf/du

Waiver: 109 sf/du



ITEM 11 – Docket Number: 098-17

Applicant or Agent: SCNZ Architects, 817 Hickory Avenue, LLC, PKAC Management, LLC
Property Location: 533-537 Iberville Street **Zip:** 70130
Bounding Streets: Iberville St., Decatur St., Bienville St., & Chartres St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1a
Existing Use: Parking Structure (Principal Use) **Square Number:** 30
Proposed Use: Multi-Family Residence **Lot Number:** 4 & L-1
Project Planner: Joseph Colón (jacolon@nola.gov)

Request Citation: This request is for variances from the provisions of Article 10, Section 10.3.A (Table 10-2) and Article 22, Section 22.8.D of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of existing buildings into a multi-family dwelling (17-unit), with insufficient lot area per dwelling unit, insufficient minimum open space ratio, excessive building height, and insufficient aisle width for two-way parking access.

Requested Waivers:

| | | |
|--|---|-------------------|
| Article 10, Section 10.3.A (Table 10-2) – Minimum Lot Area | | |
| Required: 600 sf/du | Proposed: 334 sf/du | Waiver: 266 sf/du |
| Article 10, Section 10.3.A (Table 10-2) – Minimum Open Space Ratio | | |
| Required: .30 | Proposed: .108 | Waiver: .192 |
| Article 10, Section 10.3.A (Table 10-2) – Maximum Building Height | | |
| Required: 50 ft. | Proposed: 92 ft. (89 ft. grandfathered) | Waiver: 3 ft. |
| Article 22, Section 22.8.D – Access Requirements for Off-Street Vehicle Parking Areas | | |
| Required: 42 ft. Single Loaded Modules | Proposed: 32’-3” | Waiver: 9’-9” |
| Article 22, Section 22.8.D – Access Requirements for Off-Street Vehicle Parking Areas | | |
| Required: 18 ft. - 60° Loaded | Proposed: 10’-7” | Waiver: 7’- 5” |



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

ITEM 14 – Docket Number: 014-17

Applicant or Agent: Justin Schmidt, Frank Peterson, Rose Peterson
Property Location: 2257 Bayou Road **Zip:** 70119
Bounding Streets: Bayou Rd., N. Rocheblave St., Columbus St., & N. Tonti St.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Bed and Breakfast - Principal **Square Number:** 1192
Proposed Use: Bed and Breakfast - Principal **Lot Number:** G-6

Request Citation: This is an appeal of a decision of the Director of 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 interpretation of Article 21, Section 21.6.A.8 – Accessory Structures (Corner Yards).



ITEM 15 – Docket Number: 082-17

Applicant or Agent: The Rampart Church, LLC, Justin B. Schmidt, Adams and Reese LLP
Property Location: 1236 N. Rampart Street **Zip:** 70116
Bounding Streets: N. Rampart St., Barracks St., Burgundy St., Governor Nicholls St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Subject of Appeal **Square Number:** 107
Proposed Use: Subject of Appeal **Lot Number:** 6, 7, 8, 9, 10, 11, 12

Request Citation: This is an appeal of a decision of the Director of 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 of the use of the property.



ITEM 16 – Docket Number: 091-17

Applicant or Agent: Garden District Association
Property Location: 2801 Magazine Street **Zip:** 70115
Bounding Streets: Magazine St., Washington Ave., Camp St., Sixth St.
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: Garden District **Planning District:** 2
Existing Use: Vacant Building **Square Number:** 152
Proposed Use: Restaurant, Standard **Lot Number:** Y-1-G

Request Citation: This is an appeal of a decision of the Director of 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 the proposed use is a standard restaurant and not a fast food restaurant.



E. Director of Safety and Permits Decision Appeals – New Business

ITEM 17 – Docket Number: 101-17

Applicant or Agent: James G. Derbes
Property Location: 2257 Bayou Road **Zip:** 70119
Bounding Streets: Bayou Rd., N. Rocheblave St., Columbus St., & N. Tonti St.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Bed and Breakfast - Principal **Square Number:** 1192
Proposed Use: Bed and Breakfast - Principal **Lot Number:** G4A

Request Citation: This is an appeal of a decision of the Director of 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 the proposed pavilion constitutes an expansion of a non-conforming use.



ITEM 18 – Docket Number: 102-17

Applicant or Agent: Scott Joanen
Property Location: 4027 Delgado Drive **Zip:** 70119
Bounding Streets: N. Carrollton Ave., Delgado Dr., Wilson Dr., Moss St.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Parkview **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** A
Proposed Use: Two-Family Residence **Lot Number:** 75

Request Citation: This is an appeal of a decision of the Director of 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 interpretation of Article 22, Section 22.5.A.4. of the Comprehensive Zoning Ordinance.



F. Adjournment