



BOARD OF ZONING ADJUSTMENTS

MEETING INFORMATION

Location

Homeland Security Conference Room

8th 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.

Final Agenda

July 10, 2017

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 **July 20, 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. BZA Dockets – Current Comprehensive Zoning Ordinance – Unfinished Business

ITEM 1 – Docket Number: 025-17

Applicant or Agent: Margaret B. Smith
Property Location: 2427 Laurel Street **Zip:** 70130
Bounding Streets: Laurel St., Second St., Constance, & First St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 111
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Timothy Jackson (thjackson@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 an addition onto a single-family residence, resulting in insufficient minimum permeable open space and insufficient minimum interior side and rear yard setbacks. **(AFTER THE FACT)**

Requested Waivers:

Article 11, Section 11.3.A (1) (Table 11-2A) – Minimum Permeable Open Space

Required: 30% Provided: 0% Waiver: 30%

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

Required: 12' (20% or 15 feet, whichever is less) Provided: 0' Waiver: 12'

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

Required: 3' Provided: 0' Waiver: 3'



ITEM 2 – Docket Number: 040-17

Applicant or Agent: J & W Builder’s Group LLC
Property Location: 5320 Wildair Drive **Zip:** 70122
Bounding Streets: Wildair Dr., Filmore Ave., Wingate Dr., Rapides St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Vacant Lot **Square Number:** 7
Proposed Use: Single-Family Residence **Lot Number:** 7-A
Project Planner: Sabine Lebailleux (selebailleux@nola.gov)

Request Citation: This request is for variances from the provisions of 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 insufficient interior side yard setback and insufficient front yard setback. **(AFTER THE FACT)**

Requested Waivers:

Section 13.3.A.1 (Table 13.2) –Bulk & Yard Regulations (Front Yard)
Required: 20’ Provided: 18’-8” Waiver: 1’-4”
Section 13.3.A.1 (Table 13.2) –Bulk & Yard Regulations (Side Yard)
Required: 5’ Provided: 3’-8” Waiver: 1’-4”



ITEM 3 – Docket Number: 042-17

Applicant or Agent: 229 Royal Street LLC, John C. Williams Architects LLC
Property Location: 229-233 Royal Street **Zip:** 70126
Bounding Streets: Royal St., Iberville St., Bourbon St., Bienville St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 9
Existing Use: Vacant Building **Square Number:** A
Proposed Use: Standard, Restaurant, Office, Personal Services Establishment **Lot Number:** 14
Project Planner: Brooke Perry (btperry@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 an existing building resulting in excessive height.

Requested Waiver:

Article 10, Section 10.3.A (Table 10-2) – Maximum Building Height
Required: 50’ Provided: 69’-4” (14’-11” grandfathered) Waiver: 4’-5”



ITEM 4– Docket Number: 044-17

Applicant or Agent: French Quarter Apartments Ltd. Partnership, John C. Williams Architects
Property Location: 939 Iberville Street **Zip:** 70130
Bounding Streets: Iberville St., Burgundy St., Bienville St., Dauphine St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 2
Existing Use: Vacant Building **Square Number:** 144
Proposed Use: Multi-Family Residence **Lot Number:** 1, 2
Project Planner: Travis Martin (trlmartin@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 24, Section 24.13.G.3.b (iv) of the Comprehensive Zoning Ordinance.

Request: This request is to permit a projecting sign with excessive area for an 87-unit multi-family dwelling.

Requested Waiver:

Article 24, Section 24.13.G.3.b (iv) – Zoning Districts Group 1

Required: 16 ft² maximum Provided: 40 ft² Waiver: 24 ft²



C. BZA Dockets – Current Comprehensive Zoning Ordinance – New Business

ITEM 5 – Docket Number: 047-17

Applicant or Agent: Jay Whipple LLC
Property Location: 1507 Leonidas Street **Zip:** 70118
Bounding Streets: Leonidas St., Birch St., Joliet St., Jeannette St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 198
Proposed Use: Single-Family Residence **Lot Number:** Pt. 10
Project Planner: Sabine Lebailleur (selebailleur@nola.gov)

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

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

Requested Waiver:

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

Required: 6' Provided: 3' Waiver: 3'



ITEM 6 – Docket Number: 048-17

Applicant or Agent: Marie Delavergne
Property Location: 1706 Valmont Street **Zip:** 70115
Bounding Streets: Valmont St., Dryades St., Jefferson Ave., Danneel St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 486
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Stosh Kozlowski (sakozlowski@nola.gov)

Request Citation: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A), Article 11, Section 11.3.B.3 (a), Article 22, Section 22.8.B.1, Article 22, Section 22.11.D (1), and Article 22, Section 22.11.D (2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a parking pad in the front yard resulting in excessive impervious surface in the front yard.

Requested Waivers:

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

Required: 40% maximum Provided: 65% Waiver: 25%

Article 11, Section 11.3.B.3 (a) – Parking Restrictions

Required: No front yard parking Provided: Front yard parking Waiver: Front yard parking

Article 22, Section 22.8.B.1 – Permitted Vehicle Parking Locations (Front Yard)

Required: No front yard parking Provided: Front yard parking Waiver: Front yard parking

Article 22, Section 22.11.D (1) – Parking Pad Design (Location)

Required: No parking space in front yard

Provided: Parking space in front yard

Waiver: Parking space in front yard

Article 22, Section 22.11.D (2) – Parking Pad Design (Location)

Required: No parking space in front yard

Provided: Parking space in front yard

Waiver: Parking space in front yard



ITEM 7 – Docket Number: 049-17

Applicant or Agent: Poydras Home, Woodward Audubon LLC, Trapolin Peer Architects
Property Location: 730 Julia Street, 801 St Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., Julia St., Carondelet St., St. Joseph St.
Zoning District: CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District
Historic District: Lafayette Square **Planning District:** 1a
Existing Use: Parking Lot (Principal Use) **Square Number:** 217
Proposed Use: Mixed-Use **Lot Number:** 1-4, 15, 16, 36, 37, A-D, Y, and Alley
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 17, 17.4.A.2 (a) and Article 17, 17.4.B (1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a mixed-use development (multi-family dwelling/retail/restaurant) with excessive height and insufficient open space per dwelling unit.

Requested Waivers:

Article 17, Section 17.4.A.2 (a) – Building Height

Required: 65' Provided: 66'-6" Waiver: 1'-6"

Article 17, Section 17.4.B (1) – Required On-Site Open Space (Minimum Dimension)

Required: 120 sf/du (23,760 ft²) Provided: 72 sf/du (14,904 ft²) Waiver: 48 sf/du (8,856 ft²)

Article 22, Section 22.8.D.5 Access Requirements for Off-Street Vehicular Parking Areas

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



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

ITEM 8 – 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 9 – Docket Number: 046-17

Applicant or Agent: Roofless, LLC, John Orgon
Property Location: 2126 Port Street **Zip:** 70115
Bounding Streets: Port St., N. Galvez St., Almonaster Ave., N. Miro St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: N/A **Planning District:** 2
Existing Use: Bar **Square Number:** 111
Proposed Use: Bar **Lot Number:** F

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 a non-conforming use may not be expanded.



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

ITEM 10 – Docket Number: 050-17

WITHDRAWN

Applicant or Agent: Mesa LLC, Thomas McEachin, Esp.
Property Location: 1527 Josephine Street, 1529 Josephine Street, 2040 St Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., Josephine St., Prytania St., St. Andrew St.
Zoning District: MU-1 Medium Intensity Mixed-Use District
Historic District: Lower Garden District **Planning District:** 2
Existing Use: Reception Facility **Square Number:** 209
Proposed Use: Live Performance Venue **Lot Number:** I-K-K2

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 permitted uses for the property.



ITEM 11 – Docket Number: 051-17

Applicant or Agent: Baumer Realty, Gary M Savelle
Property Location: 521-527 Harrison Avenue **Zip:** 70124
Bounding Streets: Harrison Ave, Louisville St, Bragg St, Louis XIV St
Zoning District: S-LB1 Suburban Lake Area Neighborhood Business District
Historic District: N/A **Planning District:** 5
Existing Use: Restaurant, Specialty **Square Number:** 230
Proposed Use: Retail Sales of Alcoholic Beverages **Lot Number:** 27, 28

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 a specialty restaurant on Middle Harrison Avenue can apply for a conditional use to serve alcohol for on-premises consumption.



ITEM 12 – Docket Number: 052-17

Applicant or Agent: Justin B. Schmidt
Property Location: N/A **Zip:** N/A
Bounding Streets: N/A
Zoning District: N/A
Historic District: N/A **Planning District:** N/A
Existing Use: N/A **Square Number:** N/A
Proposed Use: N/A **Lot Number:** N/A

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 Zoning Memorandum Z-17-06.



- F. **Consideration - Proposed Amendments to the Board of Zoning Adjustments Rules, Policies and Procedures**
- G. **Consideration – Selection of Nominating Committee for Chairman of the Board**
- H. **Adjournment**