



BOARD OF ZONING ADJUSTMENTS

Final Agenda

May 8, 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 **May 18, 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: 002-17

WITHDRAWN

Applicant or Agent:	1446 Arabella, LLC, Mouton + Long Architects	
Property Location:	1446 Arabella Street	Zip: 70115
Bounding Streets:	Arabella St., Garfield St., Nashville Ave., Hurst St.	
Zoning District:	HU-RD2 Historic Urban Two-Family Residential District	
Historic District:	N/A	Planning District: 3
Existing Use:	Vacant Lot	Square Number: 57
Proposed Use:	Single-Family Residence	Lot Number: 11, 12, Pt. 13, 14
Project Planner:	Nicolette P. Jones (nicolette.jones@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 the construction of a single-family residence with insufficient rear yard depth.

Requested Waiver:

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

Required: 15' Provided: 14' Waiver: 1'



ITEM 2 – Docket Number: 020-17

Applicant or Agent: RDLN Foundation, Inc., L. Katherine Harmon
Property Location: 805 N. Claiborne Avenue **Zip:** 70116
Bounding Streets: N. Claiborne Ave, St. Ann St., N. Derbigny St., Dumaine St.
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: Tremé **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 208
Proposed Use: Arts Studio **Lot Number:** 23
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for variances from the provisions of Article 12, 12.3.B.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an arts studio without a clearly identifiable entry from the public sidewalk at the front (primary street) elevation and that does not meet the minimum transparency standards for windows.

Requested Waivers:

Article 12, Section 12.3.B.1.a – Identifiable Building Entrance

Required: Identifiable front entry
 Provided: No identifiable front entry
 Waiver: Identifiable front entry

Article 12, Section 12.3.B.1.e – Ground Floor Transparency

Required: 50% Provided: 43.5% (52.8 sf) Waiver: 6.5% (7.95 sf)



ITEM 3 – Docket Number: 021-17

WITHDRAWN

Applicant or Agent: Jeffrey and Paige Giavotella, L. Katherine Harmon
Property Location: 7115 Louisville Street **Zip:** 70124
Bounding Streets: Louisville St., Robert E. Lee Blvd, Louis XIV St., Conrad St.
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 49A
Proposed Use: Single-Family Residence **Lot Number:** D
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 13, Section 11.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit an addition onto a single-family residence, resulting in insufficient front yard setback with excessive paving of the front yard area.

Requested Waivers:

Article 13, Section 13.3.A.1 (Table 13-2) – Front Yard Setback

Required: 20' Provided: 15'-9" Waiver: 4'-3"

Article 13, Section 13.3.A.1 (Table 13-2) – Maximum Paving Front Yard

Permitted: 40% Provided: 44% Waiver: 4%

ITEM 4 – Docket Number: 024-17

Applicant or Agent: Gary and Lori Prince
Property Location: 1621 Charlton Drive **Zip:** 70122
Bounding Streets: Charlton Dr., Chamberlain Dr., Chase Dr., Chatham Dr., Pratt Dr.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** 7
Proposed Use: Single-Family Residence **Lot Number:** 7-A
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 21, Section 21.6.A (3) and Article 21, Section 21.6.A (6) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of an accessory structure with excessive height and excessive rear yard coverage (**AFTER THE FACT**).

Requested Waivers:¹**Article 21, Section 21.6.A (3) – Accessory Structures (Height)**

Permitted: 14' maximum Provided: 18'-3" Waiver: 4'-3"

Article 21, Section 21.6.A (6) – Accessory Structures and Uses (Rear Yard Coverage)

Permitted: 40% maximum Provided: 72% Waiver: 31%²

Article 21, Section 21.6.A (7) – Accessory Structures and Uses (Setbacks)³

Permitted: 3' minimum Provided: 4" Waiver: 2'-8"

Article 21, Section 21.6.N.1 (a) – General Fence Requirements

Permitted: 8' maximum Provided: 9' Waiver: 1'



¹ The property also requires a waiver from **Article 22, Section 22.11.A.1 (c) – Residential Driveways** of driveway distance from the side lot line as the driveway is less than one foot from the side lot line. However due to discrepancies about the location of the lot line, the request cannot be considered at this time.

² The applicant can claim detrimental reliance of one percent.

³ The property may require a rear yard setback variance from **Article 21, Section 21.6.A (7) – Accessory Structures and Uses (Setbacks)**, however, like the driveway issue, the City cannot engage in property line disputes. Therefore, the property owners may need to rectify this issue at a later time.

ITEM 5 – Docket Number: 027-17

WITHDRAWN

Applicant or Agent: 731 St. Charles Ave. LLC, Rozas-Ward
Property Location: 731-735 St. Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., Julia St., Carondelet St., Girod St.
Zoning District: CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District
Historic District: Lafayette Square **Planning District:** 1a
Existing Use: Vacant Building **Square Number:** 218
Proposed Use: Mixed-Use **Lot Number:** 12 & 13
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 17, Section 17.3.B.1 (a) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a sixty-seven (67) unit multi-family dwelling in a multi-modal/pedestrian corridor with insufficient minimum ground floor area reserved for approved uses.

Requested Waivers:

Article 17, Section 17.3.B.1 (a) – Required Uses for Ground Floors of Structures with Frontage on Multi-Modal/Pedestrian Corridors

Required: 25% Provided: 14% Waiver: 11%

Article 17, Section 17.6.D.1 – Building Design – Requires the façade that faces a corridor to maintain a minimum transparency of fifty percent (50%) (Carondelet Street)

Required: 50% Provided: 3.5% Waiver: 46.5%



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

ITEM 6 – Docket Number: 031-17

Applicant or Agent: Adapt Properties LLC, Sherman Strategies LLC
Property Location: 4808 Francisco Verrett Drive **Zip:** 70126
Bounding Streets: Francisco Verrett Dr., Hammond St., Viola St., Dwyer Rd.
Zoning District: S-RD Suburban Two-Family Residential District
Historic District: N/A **Planning District:** 9
Existing Use: Vacant Lot **Square Number:** A
Proposed Use: Two-Family Residence **Lot Number:** 14
Project Planner: Stosh Kozlowski (sakozlowski@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 22.11.B (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, insufficient rear yard setback, and two curb cuts, where one is allowed.

Requested Waivers:

Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Area
 Required: 2,500 ft²/du Provided: 2,214.5 ft²/du Waiver: 285.5 ft²/du
Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Width
 Required: 50' Provided: 43' Waiver: 7'
Article 13, Section 13.3.A.1 (Table 13-2) – Rear Yard Setback
 Required: 20' Provided: 13' Waiver: 7'
Article 22, Section 22.11.B (1) – Curb Cuts
 Permitted: 1 curb cut (max.) Provided: 2 curb cuts Waiver: 1 curb cut



ITEM 7 – Docket Number: 032-17

Applicant or Agent: Accardo Endodontics, LLC, AGL Commercial Interiors
Property Location: 605 N. Carrollton Avenue **Zip:** 70119
Bounding Streets: N. Carrollton Ave., Toulouse St., David St., St. Peter St.
Zoning District: S-B1 Suburban Business District
Historic District: Parkview **Planning District:** 5
Existing Use: Vacant Building **Square Number:** 541
Proposed Use: Medical/Dental Clinic **Lot Number:** B2
Project Planner: Kelly Butler (kgbutler@nola.gov)

Request Citation: This request is for variances from the provisions of Article 14, Section 14.3.A.1 (Table 14-2) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a dental clinic with insufficient minimum lot area and insufficient off-street parking.

Requested Waivers:**Article 14, Section 14.3.A.1 (Table 14-2) – Minimum Lot Width**

Required: 100' Provided: 42.4' Waiver: 57.8'

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

Required: 5 spaces Provided: 3 spaces Waiver: 2 spaces

**ITEM 8 – Docket Number: 033-17**

Applicant or Agent: Magazine Race, LLC, Charles A. Rutledge, Jr.
Property Location: 1476 Magazine Street **Zip:** 70130
Bounding Streets: Magazine St., Euterpe St., Constance St., Race St.
Zoning Districts: HU-B1 Historic Urban Neighborhood Business District
Historic District: Lower Garden District **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 144
Proposed Use: Mixed-Use **Lot Number:** 1, 2
Project Planner: Nicolette P. Jones (nicolette.jones@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 mixed-use development (bed and breakfast, principal/office) with insufficient rear yard setback.

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

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



ITEM 9 – Docket Number: 034-17

Applicant or Agent: BCH Metal Works, LLC, Ben Butler
Property Location: 1020-1038 Annunciation Street **Zip:** 70130
Bounding Streets: Annunciation St., Poeyfarre St., Tchoupitoulas St., John Churchill Chase St.
Zoning District: CBD-6 Urban Core Neighborhood Mixed-Use District
Historic District: Warehouse District **Planning District:** 1a
Existing Use: Vacant Lot **Square Number:** 69
Proposed Use: Hotel/Motel **Lot Number:** Z & 8A
Project Planner: Nicholas Kindel (njkindel@nola.gov)

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

Request: This request is to permit the construction of a hotel with insufficient setback from the public right-of-way for a height exceeding seventy-five feet (75').

Requested Waiver:

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

Required: setback 20' over 75' Provided: setback 20' over 110' Waiver: setback 20' over 35'



ITEM 10 – Docket Number: 035-17

Applicant or Agent: 3987 Tchoupitoulas LLC, Christopher E. Johnson, Architect, LLC
Property Location: 3987 Tchoupitoulas Street **Zip:** 70115
Bounding Streets: Tchoupitoulas St., Constantinople St., Annunciation St., Austerlitz St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: Uptown **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 111
Proposed Use: Mixed-Use **Lot Number:** F
Project Planner: Emily Ramírez Hernández (erhernandez@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 construction of a multi-family residence with insufficient off-street parking.

Requested Waiver:

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

Required: 3 spaces Provided: 0 spaces Waiver: 3 spaces



ITEM 11 – Docket Number: 036-17

Applicant or Agent: Sazerac Louisiana Holdings, LLC, Trapolin Peer Architects
Property Location: 101 Magazine Street **Zip:** 70130
Bounding Streets: Canal St., Magazine St., Common St., Camp St.
Zoning District: CBD-2 Historic Commercial and Mixed-Use District Max Height
Historic District: N/A **Planning District:** 1a
Existing Use: Vacant Building **Square Number:** 169
Proposed Use: Mixed-Use **Lot Number:** CC
Project Planner: Brooke Perry (btperry@nola.gov)

Request Citation: This request is for variances from the provisions of Article 17, Section 17.4.A.1 (Table 17-2) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a mixed-use development (cultural facility/micro-distillery/offices/reception facility) with excessive height and insufficient bicycle parking.

Requested Waivers:

Article 17, Section 17.4.A.1 (Table 17-2) – Maximum Building Height

Permitted: 70’ Provided: 81’-5” (77’-8” existing) Waiver: 3’-9”

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

Required: 13 spaces Provided: 8 spaces Waiver: 5 spaces



ITEM 12 – Docket Number: 037-17

Applicant or Agent: Ernest J. Rodney
Property Location: 2907 Aubry Street **Zip:** 70119
Bounding Streets: Aubry St., Gentilly Blvd., Rosiere St., O’Reilly St., N. Gayoso St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 1731
Proposed Use: Single-Family Residence **Lot Number:** K
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 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the expansion of a garage with insufficient minimum corner side yard width.

Requested Waiver:

Section 11.3.A.1 – Corner Side Yard for Single-Family and Two-Family Dwellings

Required: 6’-5/32” (10% of lot width) Provided: 4” Waiver: 5’-9”



ITEM 13 – Docket Number: 038-17

Applicant or Agent: Todd C. Credeur, Jeffery Treffinger
Property Location: 100 St. John Court Lot L **Zip:** 70119
Bounding Streets: St. John Ct., Harding Dr., Dumaine St., & N. Jefferson Davis Pkwy.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Parkview **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 468
Proposed Use: Single-Family Residence **Lot Number:** L & Q
Project Planner: Cameron Bonnett (cdbonnett@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 rear yard depth.

Requested Waiver:

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

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



ITEM 14 – Docket Number: 039-17

Applicant or Agent: Seneca N. Hennrich, Kelly Johnson
Property Location: 3916 D’hemecourt Street **Zip:** 70119
Bounding Streets: D’hemecourt St., S. Scott St., Ulloa St., & S. Pierce St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Mid-City **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 750
Proposed Use: Single-Family Residence **Lot Number:** 36
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 the construction of a single-family residence with insufficient side yard setback.

Requested Waiver:

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

Required: 3' Provided: 1'-1" Waiver: 1'-11"



D. Adjournment