



BOARD OF ZONING ADJUSTMENTS

Final Agenda

August 13, 2018

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

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 **August 23, 2018**.

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: 052-18

Applicant or Agent: William Casey Frew, Lewis Robinson
Property Location: 1308 Henriette DeLille Street **Zip:** 70116
Bounding Streets: Henriette DeLille St., Barracks St., Rampart St., Esplanade Ave.
Zoning District: HMR-1 Historic Marigny/Tremé/Bywater Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Two-Family Residence **Square Number:** 109
Proposed Use: Two-Family Residence **Lot Number:** E-1
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for a variance from the provisions of Article 21, Section 21.6.N.1 of the Comprehensive Zoning Ordinance to permit a fence with excessive height.

Requested Waiver:

Article 21, Section 21.6.N.1.a – Fence Height

Required: 7' Provided: 8'-6 1/8" Waiver: 1'-6 1/8"



ITEM 2 – Docket Number: 056-18

Applicant or Agent: Charles J. Neyrey, George Fowler IV, and Jennifer Walker Fowler
Property Location: 508 Millaudon Street **Zip:** 70118
Bounding Streets: Millaudon St., Pearl St., Cherokee St., St. Charles Ave.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: St. Charles Avenue **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 61
Proposed Use: Two-Family Residence **Lot Number:** B
Project Planner: Rachael Berg (rberg@nola.gov)

Request: 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 to permit an addition to an existing single-family residence resulting in insufficient minimum rear yard setback.

Requested Waiver:

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

Required: 15' Provided: 3' Waiver: 12'



ITEM 3 – Docket Number: 057-18

Applicant or Agent: St. John Baptist Church No. 5, Bruce Davenport
Property Location: 3635 Hamburg Street **Zip:** 70122
Bounding Streets: Hamburg St., St. Denis St., Paris St., Sere St.
Zoning District: S-B1 Suburban Business District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 2481
Proposed Use: Office **Lot Number:** 14
Project Planner: Nicolette Jones (nipjones@nola.gov)

Request: This request is for a variances from the provisions of Article 14, Section 14.3.A.1 (Table 14-2), Article 14, Section 14.3.B.1(b), Article 14, Section 14.3.B.1(c), and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of an office with insufficient minimum lot area, insufficient minimum lot width, insufficient transparency and insufficient ceiling height at the ground floor, and insufficient off-street parking.

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

Required: 10,000 sf	Provided: 3,067 sf	Waiver: 6,933 sf
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Article 14, Section 14.3.A.1 (Table 14-2) – Minimum Lot Width Requirements

Required: 50'	Provided: 30'	Waiver: 20'
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Article 14, Section 14.3.B.1(b) – Ground Floor Transparency Requirements

Required: 50%	Provided: 25%	Waiver: 25%
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Article 14, Section 14.3.B.1(c) – Ground Floor Ceiling Height Requirements

Required: 12'	Provided: 10'	Waiver: 2'
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Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle & Bicycle Parking Requirements

Required: 7 spaces	Provided: 0 spaces	Waiver: 7 spaces
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ITEM 6 – Docket Number: 062-18

Applicant or Agent: Charles Ward, 731 St. Charles Ave., LLC
Property Location: 731-735 St. Charles Avenue **Zip:** 70130
Bounding Streets: St. Charles Ave., Girod St., Carondelet St., Julia 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: Joseph Colón (jacolon@nola.gov)

Request: This request is for a variance from the provisions of Article 17, Section 17.3.B.1 of the Comprehensive Zoning Ordinance to permit the construction of a mixed-use (four commercial units/67 dwelling units) structure in a multi-modal/pedestrian corridor with insufficient minimum ground floor area reserved for approved uses.

Requested Waiver:

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

Required: 25%

Provided: 9.86%

Waiver: 15.4%

**ITEM 7 – Docket Number: 063-18**

Applicant or Agent: Kathy A. Marshall, Mathes Brierre Architects
Property Location: 5612 Orleans Avenue **Zip:** 70124
Bounding Streets: Orleans Ave., Central Park Pl., Gen. Haig., Florida Blvd.
Zoning District: S-LRS1 Suburban Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** C
Proposed Use: Single-Family Residence **Lot Number:** 1-A
Project Planner: Haley Delery (hdelery@nola.gov)

Request: This request is for variances from the provisions of Article 21, Sections 21.6.A.7 and 21.6.A.8 of the Comprehensive Zoning Ordinance to permit the construction of a detached carport with insufficient rear yard and corner side yard setbacks.

Requested Waivers:

Article 21, Section 21.6.A.7 – Accessory Structures and Uses (Rear Setback)

Required: 3'

Provided: 8¾"

Waiver: 2'-3¼"

Article 21, Section 21.6.A.8 – Accessory Structures and Uses (Corner Lot Rear Yard Setback)

Required: 3'

Provided: 8¾"

Waiver: 2'-3¼"

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

Required: 20'

Provided: 1'-10"

Waiver: 18'-2"



ITEM 9 – Docket Number: 065-18

Applicant or Agent: Lisa M. Laursen, Lewis Robinson
Property Location: 828 Gallier Street **Zip:** 70117
Bounding Streets: Gallier St., Dauphine St., Desire St., Burgundy St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Bywater **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 247
Proposed Use: Two-Family Residence **Lot Number:** 10
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request: This request is for variances from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance to permit the conversion of an accessory structure into a second dwelling unit with insufficient minimum lot area, insufficient minimum lot width, insufficient minimum lot depth, insufficient minimum open space ratio, insufficient side yard setback and insufficient rear yard setback.

Requested Waivers:

Article 9, Section 9.3.A (Table 9-2) – Minimum Lot Area		
Required: 2500 sq. ft.	Provided: 2397.8 sq. ft.	Waiver: 102.2 sq. ft.
Article 9, Section 9.3.A (Table 9-2) – Minimum Lot Width		
Required: 30'	Provided: 26'-11"	Waiver: 3'-1"
Article 9, Section 9.3.A (Table 9-2) – Minimum Lot Depth		
Required: 90'	Provided: 89'-1"	Waiver: 11"
Article 9, Section 9.3.A (Table 9-2) – Minimum Open Space Ratio		
Required: .3(.201 grandfathered)	Provided: .09	Waiver: .001
Article 9, Section 9.3.A (Table 9-2) – Side Yard Setback		
Required: 3' (2'-1" grandfathered)	Provided: 1'	Waiver: 11"
Article 9, Section 9.3.A (Table 9-2) – Rear Yard Setback		
Required: 20'	Provided: 1'	Waiver: 19'



ITEM 12 – Docket Number: 068-18**WITHDRAWN**

Applicant or Agent: John C. Williams, 336 Camp LLC
Property Location: 336-338 Camp Street **Zip:** 70130
Bounding Streets: Camp St., Gravier St., Picayune Pl., Natchez St.
Zoning District: CBD-2 Historic Commercial and Mixed-Use District
Historic District: Picayune Place **Planning District:** 1a
Existing Use: Vacant Building **Square Number:** 167
Proposed Use: Multi-Family Residence **Lot Number:** 18-A
Project Planner: Amos Jasper Wright (ajwright@nola.gov)

Request: This request is for a variance from the provisions of **Article 17, Section 17.4.B.1** of the Comprehensive Zoning Ordinance to permit the construction of a mixed-use (retail/multi-family) structure with insufficient on-site open space.

Requested Waiver:**Article 17, Section 17.4.B.1 – Required On-Site Open Space (Minimum Dimension)**Required: 2,160 ft²

Provided: 0'

Waiver: 2,160 ft²**ITEM 13 – Docket Number: 069-18**

Applicant or Agent: Brijac Properties, LLC
Property Location: 3819 Tulane Avenue **Zip:** 70119
Bounding Streets: Tulane Ave. S. Scott St., Ulloa St., S. Cortez St.
Zoning District: MU-1 Medium Intensity Mixed-Use District
Historic District: Mid-City **Planning District:** 4
Existing Use: Office **Square Number:** 738
Proposed Use: Office **Lot Number:** 5
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request: This request is for a variance from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) of the Comprehensive Zoning Ordinance to permit an addition onto an existing building, resulting in insufficient minimum permeable open space.

Requested Waiver:**Article 15, Section 15.3.A.1 (Table 15-2) – Minimum Permeable Open Space**

Required: 20%

Provided: 16.5%

Waiver: 3.5%



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

ITEM 14 – Docket Number: 021-15

Applicant or Agent: Helen Ball
Property Location: 100 St. John Court H **Zip:** 70119
Bounding Streets: St. John Ct., Harding Dr., Moss St.
Zoning District: LRD-2 Lakewood/Parkview Two-Family Residential District
Historic District: Parkview **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** E
Proposed Use: Single-Family Residence **Lot Number:** H

Request: 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, as remanded by Orleans Parish Civil District Court, for further consideration of: 1) the Petitioner’s 2013 permit plans to determine whether the approved plans indicated that the rear deck would be elevated at a position above its original height prior to the structural elevation of the residence; and 2) clarification of the Comprehensive Zoning Ordinance Rule that was determined violated by the Director in this matter.



ITEM 15 – Docket Number: 059-18

Applicant or Agent: 730 Rue Bienville LLC
Property Location: 720-730 Bienville Street **Zip:** 70130
Bounding Streets: Bienville St., Bourbon St., Iberville St., Royal St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Hotel/Motel **Square Number:** 65
Proposed Use: Hotel/Motel **Lot Number:** X

Request: 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 regarding the determination that the site has not attained legal, non-conforming status for a retractable canopy over the courtyard and the associated deficiency of open space ratio.



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

ITEM 16 – Docket Number: 070-18

Applicant or Agent:	Suzanne Wimsatt	
Property Location:	2630-32 Peniston Street	Zip: 70115
Bounding Streets:	Peniston St., S. Robertson St., Gen. Taylor St., Magnolia St.	
Zoning District:	HU-RD1 Historic Urban Two-Family Residential District	
Historic District:	Uptown	Planning District: 2
Existing Use:	Two-Family Residence	Square Number: 627
Proposed Use:	Two-Family Residence	Lot Number: 9, 10

Request: 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 regarding the determination that the site has not attained legal, non-conforming status for excessive paving and parking.



F. Consideration – Election of Officers

G. Adjournment