



BOARD OF ZONING ADJUSTMENTS

Draft Agenda

July 9, 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 **July 19, 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.

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. Variances – Unfinished Business

ITEM 1 – Docket Number: 046-18

Applicant or Agent: Delilah Hall
Property Location: 3119 Bienville Avenue **Zip:** 70119
Bounding Streets: Bienville Ave., N. Lopez St., N. Salcedo St., Conti. 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:** 420
Proposed Use: Single-Family Residence **Lot Number:** Z
Project Planner: Robin Jones (rcjones@nola.gov)

Request: 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, and Article 22, Section 22.11.D of the Comprehensive Zoning Ordinance to permit the construction of a parking pad in the front yard resulting in excessive impervious surface in the front yard and parking in the required front yard (**AFTER THE FACT**).

Requested Waivers:

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

Required: 40% maximum Provided: 43% Waiver: 3%

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 2 – Docket Number: 048-18

Applicant or Agent: Matthew N. Kohnke, Bodhnke LLC
Property Location: 2527 Upperline Street **Zip:** 70115
Bounding Streets: Upperline St., Freret St., Valence St., S. Robertson St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 606
Proposed Use: Single-Family Residence **Lot Number:** 22
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) and Article 22, Section 22.11.A.1 of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient interior side yard setback and a driveway located an insufficient distance from a side lot line.

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

Required: 3'	Provided: 1'	Waiver: 11"
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Article 22, Section 22.11.A.1 – Residential Driveways

Required: 1'	Provided: 0'	Waiver: 1'
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**ITEM 3 – Docket Number: 051-18**

Applicant or Agent: Carlos G. & Leslie Toledo, Robert H. Sollberger
Property Location: 6245 Marshal Foch Street **Zip:** 70117
Bounding Streets: Marshall Foch St., Harrison Ave., Argonne St., & French St.
Zoning District: S-LRS1 Suburban Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 267
Proposed Use: Single-Family Residence **Lot Number:** 11
Project Planner: Amos Wright (awright@nola.gov)

Request: This request is for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance to permit an addition to an existing single-family residence resulting in insufficient front yard setback.

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

Required: 20'	Provided: 14'	Waiver: 6'
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C. Variances – New Business

ITEM 4 – 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 5 – Docket Number: 053-18

Applicant or Agent: Square 2 Development Co. LLC, Michael L. Mancuso, Elkins PLC
Property Location: 233-35 Nashville Avenue **Zip:** 70115
Bounding Streets: Nashville Ave., Tchoupitoulas St., Arabella St., S. Front St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 2
Proposed Use: Single-Family Residence **Lot Number:** 2C
Project Planner: Robin Jones (rcjones@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance in conjunction with Subdivision Docket 075-17 to permit the creation of a lot with insufficient minimum lot area and insufficient minimum lot width.

Requested Waivers:

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

Required: 2,250 ft² Provided: 1,926 ft² Waiver: 324 ft²

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

Required: 30' Provided: 34' Waiver: 6'



ITEM 6 – Docket Number: 054-18

Applicant or Agent: Douglas C. Mayo, Michael Grosch
Property Location: 3671-73 Tchoupitoulas Street **Zip:** 70115
Bounding Streets: Tchoupitoulas St., Amelia St., Annunciation St., Antonine St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: Uptown **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 107
Proposed Use: Two-Family Residence **Lot Number:** 20-A
Project Planner: Haley Delery (hdelery@nola.gov)

Request: 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 to permit the construction of a two-family residence with insufficient corner side yard setback.

Requested Waiver:

Article 12, Section 12.3.A.1 (Table 12-2) – Corner Side Yard Setback

Required: 3'-4"

Provided: 0'

Waiver: 3'-4"



ITEM 7 – Docket Number: 055-18

Applicant or Agent: William Cannon Matthews, Jr.
Property Location: 2752-54 Dumaine Street **Zip:** 70119
Bounding Streets: Dumaine St., N. Broad St., St. Ann St., N. White St,
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 356
Proposed Use: Two-Family Residence **Lot Number:** 7 and B
Project Planner: Travis Martin (trlmartin@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of a two-family residence with insufficient minimum rear yard setback and insufficient off-street parking.

Requested Waivers:

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

Required: 14'

Provided: 8'

Waiver: 6'

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

Required: 1 space/du (2 spaces)

Provided: 1 space

Waiver: 1 space



ITEM 8 – 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 Local Historic **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 variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) and Article 21, Section 21.4.A.2 of the Comprehensive Zoning Ordinance to permit the construction of more than one principal building on a lot with insufficient minimum rear yard setback.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback
Required: 15' Provided: 3' Waiver: 12'
Article 21, Section 21.4.A.2 (4) – Number of Principal Buildings on a Lot
Permitted: 1 Provided: 2 Waiver: 1



ITEM 9 – 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 variance from the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of an office with insufficient off-street parking.

Requested Waiver:

Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking Requirements
Required: 6 spaces Provided: 0 spaces Waiver: 6 spaces



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

ITEM 10 – 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 11 – Docket Number: 047-18

Applicant or Agent: Carol E. Gniady
Property Location: 2483 Burgundy Street **Zip:** 70117
Bounding Streets: Burgundy St., St. Roch Ave., N. Rampart St., Spain St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Faubourg Marigny **Planning District:** 7
Existing Use: Bar **Square Number:** 275
Proposed Use: Bar **Lot Number:** 19

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 issuance of a building permit to relocate an existing kitchen to a different room in an existing legal, non-conforming bar.



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

ITEM 12 – Docket Number: 058-18

Applicant or Agent: 2483 Burgundy Street, LLC, Marc Hoerner
Property Location: 2483 Burgundy Street **Zip:** 70117
Bounding Streets: Burgundy St., Spain St., St. Roch Ave., N. Rampart St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Faubourg Marigny **Planning District:** 7
Existing Use: Bar **Square Number:** 275
Proposed Use: Bar **Lot Number:** 19

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 timeliness of the appeal docketed as BZA047-18.



ITEM 13 – 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.



F. Consideration - Election of Officers Committee

G. Adjournment