



# BOARD OF ZONING ADJUSTMENTS

---

Final Agenda

March 12, 2018

---

## **MEETING INFORMATION**

### **Location**

**Orleans Parish School  
Board Building**

3520 General DeGaulle  
Drive  
Suite 1050  
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 **March 22, 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 018-18**

**WITHDRAWN**

**Applicant or Agent:** Eric I. Royster, Peter Spera, III, GOATstudio  
**Property Location:** 4215-4219 S. Claiborne Avenue **Zip:** 70125  
**Bounding Streets:** S. Claiborne Ave., General Pershing St., S. Derbigny St., Milan St.  
**Zoning District:** C-2 Auto-Oriented Commercial District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Office **Square Number:** 695  
**Proposed Use:** Medical/Dental Clinic **Lot Number:** 6  
**Project Planner:** Joseph Colón (jacolon@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 15, 15.3.B, Article 22, Section 22.4.A (Table 22-1), and Article 23, Section 23.8.B of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a clinic without a clearly identifiable entry from the public sidewalk at the front (primary street) elevation and a parking lot with insufficient off-street vehicular parking and an insufficient buffer yard abutting a residential district.

**Requested Waivers:**

**Article 15, Section 15.3.B.1.a – Building Design Standards (Building Entrance)**

Required: Primary entrance oriented to the street  
Provided: Primary entrance oriented to rear parking lot  
Waiver: Primary entrance oriented to rear parking lot

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

Required: 21 spaces Proposed: 17 spaces Waiver: 4 spaces

**Article 23, Section 23.8.B – Buffer Yards Abutting a Residential District**

Required: 10' Proposed: 5' Waiver: 5'



**ITEM 2 – Docket Number 019-18**

**Applicant or Agent:** Edward J. Pointer  
**Property Location:** 2400 Upperline Street **Zip:** 70115  
**Bounding Streets:** Marlborough Gate Pl., Upperline St., LaSalle St., Robert St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Uptown **Planning District:** 3  
**Existing Use:** Vacant Building **Square Number:** 580  
**Proposed Use:** Single-Family Residence **Lot Number:** 2-B  
**Project Planner:** Travis Martin, Amos Jasper Wright (trlmartin@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 143-17 to permit the creation of a lot with insufficient minimum lot depth.

**Requested Waivers:**

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

Required: 90 ft. Proposed: 63 ft. Waiver: 27 ft.



**ITEM 3 – Docket Number 020-18**

**Applicant or Agent:** Edward J. Pointer  
**Property Location:** 2 Marlborough Gate Place **Zip:** 70115  
**Bounding Streets:** Marlborough Gate Pl., Upperline St., LaSalle St., Robert St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Uptown **Planning District:** 3  
**Existing Use:** Vacant Lot **Square Number:** 580  
**Proposed Use:** Single-Family Residence **Lot Number:** 2-A  
**Project Planner:** Travis Martin, Amos Jasper Wright (trlmartin@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 143-17 to permit the creation of a lot with insufficient minimum lot depth.

**Requested Waiver:**

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

Required: 90 ft. Proposed: 63 ft. Waiver: 27 ft.



**ITEM 4 – Docket Number 022-18**

**WITHDRAWN**

**Applicant or Agent:** Cecilia A. Mouton  
**Property Location:** 2019 Jena Street **Zip:** 70115  
**Bounding Streets:** Jena St., S. Saratoga St., Napoleon 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:** 500  
**Proposed Use:** Single-Family Residence **Lot Number:** C  
**Project Planner:** Haley Delery (hdelery@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 to permit an addition to an existing single-family residence, resulting in insufficient minimum rear yard setback and insufficient minimum permeable open space.

**Requested Waivers:**

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

Required: 13’-10” Proposed: 4’ (grandfathered 10’-4”) Waiver: 6’-4”

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

Required: 30% Proposed: 22% (grandfathered 26%) Waiver: 4%



**C. Variances – New Business**

**ITEM 5 – Docket Number 025-18**

**Applicant or Agent:** Joseph A. Aluise  
**Property Location:** 5300 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  
**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 to permit the construction of a single-family residence with insufficient minimum corner side yard setback.

**Requested Waiver:**

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

Required: 2.8' (10% lot width) Proposed: 0' Waiver: 2.8'



**ITEM 6 – Docket Number: 026-18**

**Applicant or Agent:** Tracey W. Moore, Doug Kohnke  
**Property Location:** 10 Palm Terrace **Zip:** 70115  
**Bounding Streets:** Palm Terrace, St. Charles Ave., Milan St., Carondelet St.  
**Zoning District:** HU-RM1 Historic Urban Multi-Family Residential District  
**Historic District:** Uptown **Planning District:** 2  
**Existing Use:** Single-Family Residence **Square Number:** 417  
**Proposed Use:** Single-Family Residence **Lot Number:** 9  
**Project Planner:** Randall Gaither (ragaiter@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 21, Section 21.6.EE.3 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a pool with insufficient setback from the rear property line.

**Requested Waiver:**

**Article 21, Section 21.6.EE.3 – Swimming Pools (Location)**

Required: 4' Proposed: 1' Waiver: 3'



**ITEM 7 – Docket Number: 027-18**

**Applicant or Agent:** Luke Corporation **Zip:** 70119  
**Property Location:** 3031-3033 Cleveland Avenue/126-28 S. Salcedo Street  
**Bounding Streets:** Cleveland Ave., S. Salcedo St., Canal St., S. Gayoso St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Mid-City **Planning District:** 4  
**Existing Use:** Vacant Lot **Square Number:** 632  
**Proposed Use:** Two-Family Residence **Lot Number:** A  
**Project Planner:** Aspen Nero (asnero@nola.gov)

**Request Citation:** 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.B of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a two-family residence with insufficient minimum rear yard setback and excessive curb cut.

**Requested Waivers:**

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

Required: 15' Proposed: 4' Waiver: 11'

**Article 22, Section 22.11.B – Curb Cuts**

Required: 12' Proposed: 47'-6" Waiver: 35'-6"



**ITEM 8 – Docket Number: 028-18**

**Applicant or Agent:** Luke Corporation  
**Property Location:** 122-124 S. Salcedo Street **Zip:** 70119  
**Bounding Streets:** Salcedo St., Canal St., Gayoso St., Cleveland St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Mid-City **Planning District:** 4  
**Existing Use:** Vacant Lot **Square Number:** 632  
**Proposed Use:** Two-Family Residence **Lot Number:** B  
**Project Planner:** Rachael Berg (rberg@nola.gov)

**Request Citation:** 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.B of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a two-family residence with insufficient minimum rear yard setback and excessive curb cut.

**Requested Waivers:**

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

Required: 7.2' Proposed: 3.6' Waiver: 3.6'

**Article 22, Section 22.11.B – Curb Cuts**

Required: 12' Proposed: 26'-8" Waiver: 14'-8"



**ITEM 9 – Docket Number: 029-18**

**Applicant or Agent:** S F & S LLC, Megan Spiehler  
**Property Location:** 1301 Milton Street **Zip:** 70122  
**Bounding Streets:** Milton St., Buchanan St., Foy St., Alfred St.  
**Zoning District:** S-RD Suburban Two-Family Residential District  
**Historic District:** N/A **Planning District:** 4  
**Existing Use:** Vacant Lot **Square Number:** 2677  
**Proposed Use:** Single-Family Residence **Lot Number:** 1  
**Project Planner:** Travis Martin (trlmartin@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 13, Section 13.3.A.1 of the Comprehensive Zoning Ordinance.

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

**Requested Waiver:**

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

Required: 20' Proposed: 10'- 3.5" Waiver: 9'-8.5"



**ITEM 10 – Docket Number: 030-18**

**Applicant or Agent:** Robert Pell, Crescent Resources, LLC  
**Property Location:** 1007 St. Roch Avenue **Zip:** 70117  
**Bounding Streets:** St. Roch Ave., N. Rampart St., Music St., St. Claude Ave.  
**Zoning District:** HMR-3 Historic Marigny/Tremé/Bywater Residential District  
**Historic District:** Faubourg Marigny **Planning District:** 7  
**Existing Use:** Single-Family Residence **Square Number:** 369  
**Proposed Use:** Single-Family Residence **Lot Number:** 2  
**Project Planner:** Haley Delery (hdelery@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family dwelling with insufficient interior side yard and rear yard setbacks.

**Requested Waivers:**

<b>Article 9, Section 9.3.A (Table 9-2) – Interior Side Yard Setback (St. Claude Avenue side)</b>		
Required: 3'	Proposed: 0'	Waiver: 3'
<b>Article 9, Section 9.3.A (Table 9-2) – Interior Side Yard Setback (N. Rampart Street side)</b>		
Required: 3'	Proposed: 2'-5"	Waiver: 7"
<b>Article 9, Section 9.3.A (Table 9-2) – Rear Yard Setback</b>		
Required: 20'	Proposed: 16'	Waiver: 4'



**ITEM 11 – Docket Number: 031-18**

**Applicant or Agent:** Carrollton Avenue Church of Christ  
**Property Location:** 2932-2940 Cambronne Street **Zip:** 70118  
**Bounding Streets:** Cambronne St., Pritchard Pl., Joliet St., Fig St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Carrollton **Planning District:** 3  
**Existing Use:** Place of Worship **Square Number:** 428  
**Proposed Use:** Place of Worship **Lot Number:** 41  
**Project Planner:** Joseph Colón (jacolon@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 an addition to an existing place of worship, resulting in insufficient off-street parking.

**Requested Waiver:**

<b>Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle Parking Requirements</b>		
Required: 32 spaces	Proposed: 0 spaces	Waiver: 32 spaces



**D. Director of Safety and Permits Decision Appeals – New Business**

**ITEM 12 – Docket Number 032-18**

**Applicant or Agent:** Zella May, 230 Chartres LLC  
**Property Location:** 230 Chartres Street **Zip:** 70130  
**Bounding Streets:** Chartres St., Iberville St., Exchange Pl., Bienville St.  
**Zoning District:** VCC-2 Vieux Carré Commercial District  
**Historic District:** Vieux Carré **Planning District:** 1b  
**Existing Use:** Vacant Building **Square Number:** 30  
**Proposed Use:** Subject of Appeal **Lot Number:** L or 23

**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 proposed use of the property.



**ITEM 13 – Docket Number 033-18**

**Applicant or Agent:** Keith Hardie  
**Property Location:** 7107 St. Charles Avenue **Zip:** 70118  
**Bounding Streets:** St. Charles Ave., Broadway St., Hampson St., Audubon St.  
**Zoning District:** HU-RS Historic Urban Single-Family Residential District  
**Historic District:** Saint Charles Avenue **Planning District:** 3  
**Existing Use:** Single-Family Residence **Square Number:** 70  
**Proposed Use:** Single-Family Residence **Lot Number:** 7, 8

**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 ligustrum is shrub rather than a tree, and as a result the provisions of Article 22, Section 22.11.B.3 of the Comprehensive Zoning Ordinance do not apply.





**ITEM 14 – Docket Number 034-18**

**Applicant or Agent:** Powell W. Miller  
**Property Location:** 1738 Washington Avenue **Zip:** 70113  
**Bounding Streets:** Washington Ave., Carondelet St., Sixth St., Baronne St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** N/A **Planning District:** 2  
**Existing Use:** Bar **Square Number:** 249  
**Proposed Use:** Bar **Lot Number:** 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 the determination that an expansion of a non-conforming use did not attain legal, nonconforming status.



**ITEM 15 – Docket Number 035-18**

**Applicant or Agent:** James C. Gulotta, Susan Talley  
**Property Location:** 700 Magazine Street **Zip:** 70130  
**Bounding Streets:** Magazine St., Girod St., Tchoupitoulas St., Notre Dame St.  
**Zoning District:** GPD General Planned Development District  
**Historic District:** Warehouse District **Planning District:** 1a  
**Existing Use:** Vacant Lot **Square Number:** 125  
**Proposed Use:** Mixed-Use **Lot Number:** 19

**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 building height permitted.



**E. Reasonable Accommodations Appeals – New Business**

**ITEM 16 - Docket Number RA004-17**

**Applicant or Agent:** Ariane J. Morgan  
**Property Location:** 2225 St. Bernard Avenue **Zip:** 70119  
**Bounding Streets:** St. Bernard Ave., N. Tonti St., George Nick Connor Dr., N. Miro St.  
**Zoning District:** HU-B1 Historic Urban Neighborhood Business District  
**Historic District:** N/A **Planning District:** 4  
**Existing Use:** Two-Family Residence **Square Number:** 1182  
**Proposed Use:** Two-Family Residence **Lot Number:** D

**Request Citation:** This request is for a reasonable accommodation from the provisions of Article 22, Section 22.8.B.1 and Article 22, Section 22.11.D.1, and 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 **(AFTER THE FACT)**.

**Requested Accommodations:**

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

Required: No front yard parking

Proposed: 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

Proposed: 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

Proposed: Parking space in front yard

Waiver: Parking space in front yard



**F. Adjournment**