



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Final Agenda

November 12, 2018

MEETING INFORMATION

LOCATION

Homeland Security Conference Room

8th Floor, Room 8E10
City Hall
1300 Perdido Street
New Orleans, Louisiana

TIME

10:00 a.m.

BOARD MEMBERS

Candice M. Forest – Chair
Todd C. James – Vice Chair
José Alvarez
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 **November 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: 046-18

WITHDRAWN

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, Article 22, Section 22.11.A.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.A.1 – Residential Driveways

Required: 1' Provided: 6" Waiver: 6"

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: 076-18

Applicant or Agent: Jennifer Johnson, Aasmaan Gulati
Property Location: 2902-2904 Milan Street **Zip:** 70115
Bounding Streets: Milan St., Willow St., Gen. Pershing St., S. Claiborne Ave.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 2
Existing Use: Two-Family Residence **Square Number:** 670
Proposed Use: Two-Family Residence **Lot Number:** 13, 14
Project Planner: Leila M. Manouchehri (Immanouchehri@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 the construction of a two-family residence with insufficient rear yard setback (**AFTER THE FACT**).

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback
 Required: 15'-0" Provided: 6'-6" Waiver: 8'-6"
Article 11, Section 11.3.A.1 (Table 11-2A) – Interior Side Yard
 Required: 3' Provided: 2'-3" Waiver: 9"



ITEM 3 – Docket Number: 077-18

Applicant or Agent: Nicholas R. Jenisch, Mara M. LePere-Schloop
Property Location: 1203 Valence Street **Zip:** 70115
Bounding Streets: Valence St., Perrier St., Cadiz St., Coliseum St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 317
Proposed Use: Single-Family Residence **Lot Number:** A1
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for a variance from the provisions of Article 21, Section 21.6.EE.1 of the Comprehensive Zoning Ordinance to permit the construction of a swimming pool in the required front yard.

Requested Waiver:

Article 21, Section 21.6.EE.1 – Swimming Pools (Location)
 Required: Located in required rear or interior side yard
 Proposed: Located in required front yard
 Waiver: Located in required front yard



ITEM 4 – Docket Number: 080-18**WITHDRAWN**

Applicant or Agent: Robin R. Brou-Hatheway
Property Location: 4434 Spain Street **Zip:** 70122
Bounding Streets: Spain St., Gentilly Blvd., Mandeville St., Lombard St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** 4
Proposed Use: Single-Family Residence **Lot Number:** 26, 27
Project Planner: Nicolette P. Jones (nipjones@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 a single-family residence, resulting in insufficient rear yard setback.

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

Required: 20'

Provided: 3.2'

Waiver: 16.8'

C. Variances – New Business**ITEM 5 – Docket Number: 085-18**

Applicant or Agent: 2009 First Street LLC, Michael Parsiola
Property Location: 2009-2011 First Street **Zip:** 70113
Bounding Streets: First St., S. Saratoga St., Philip St., Danneel St.
Zoning District: HU-RM1 Historic Urban Multi-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Building **Square Number:** 288
Proposed Use: Multi-Family Residence **Lot Number:** C
Project Planner: Aspen Nero (asnero@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 multi-family residence (4-unit) with insufficient minimum lot area per dwelling unit, insufficient minimum lot width, insufficient minimum rear yard setback, insufficient permeable open space, and insufficient off-street parking (**AFTER THE FACT**).

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

Required: 1,250 sf/du

Provided: 687.5 sf/du

Waiver: 562.5 sf/du

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

Required: 40'

Provided: 30'

Waiver: 10'

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

Required: 20'

Provided: 13.8'

Waiver: 6.2'

Article 11, Section 11.2.A.11 (Table 11-2) – Permeable Open Space

Required: 30% of lot area

Provided: 20%

Waiver: 10%

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

Required: 1 space/du

Provided: 0 spaces

Waiver: 4 spaces

ITEM 6 – Docket Number: 086-18

Applicant or Agent: Ana Elizabeth Phelps, Iglesia Pentecostal Refugio de Salvación
Property Location: 3001 Behrman Highway **Zip:**
Bounding Streets: Behrman Hwy., Nevada St., Elmwood Park Dr., Kansas St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 12
Existing Use: Vacant Lot **Square Number:** 86
Proposed Use: Place of Worship **Lot Number:** 21, 22, 23 & 24
Project Planner: Emily Hernandez (erhernandez@nola.gov)

Request: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2), Article 22, Section 22.4.A (Table 22-1), and Article 23, Section 23.8 of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 088-18, to permit the construction of a place of worship with insufficient minimum lot area, insufficient minimum lot width, insufficient off-street parking, and a buffer yard with insufficient width.

Requested Waivers:**Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Area**

Required: 20,000 ft² Proposed: 14,580 ft² Waiver: 5,420 ft²

Article 13, Section 13.3.A.1 (Table 13-2) – Minimum Lot Width

Required: 100' Proposed: 60.75' Waiver: 39.25

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

Required: 128 spaces Proposed: 15 spaces Waiver: 113 spaces

Article 23, Section 23.8 – Buffer Yards

Required: Buffer yard Proposed: No buffer yard Waiver: No buffer yard

**ITEM 7 – Docket Number: 087-18**

Applicant or Agent: Kevin Patrick Duffy
Property Location: 6610 General Haig Street **Zip:** 70124
Bounding Streets: Gen. Haig St., Porteous St., Argonne St., Filmore Ave.
Zoning District: S-LRS1 Suburban Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Building **Square Number:** 156
Proposed Use: Single-Family Residence **Lot Number:** 27 & 28
Project Planner: Amos Wright (ajwright@nola.gov)

Request: This request is for a variance from the provisions of Article 21, Section 21.6.T of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with mechanical equipment located closer than three (3) feet from a side lot line.

Requested Waiver:**Article 21, Section 21.6.T – Mechanical Equipment**

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



ITEM 8 – Docket Number: 088-18

Applicant or Agent: Mary T. Killackey, Andrew Liles
Property Location: 570 Joseph Street **Zip:** 70115
Bounding Streets: Joseph St., Patton St., Arabella St., Constance St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 19
Proposed Use: Single-Family Residence **Lot Number:** 13
Project Planner: Nicolette Jones (nipjones@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 the construction of single-family residence with insufficient side yard and rear yard setback.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback		
Required: 15'	Provided: 14'	Waiver: 1'
Article 11, Section 11.3.A.1 (Table 11-2A) – Side Yard Setback		
Required: 3' (2'-9" grandfathered)	Provided: 2'-8"	Waiver: 1"



ITEM 9 – Docket Number: 089-18

Applicant or Agent:	Webre Consulting, 3821 Franklin Spe LLC	
Property Location:	3821 Franklin Avenue	Zip: 70122
Bounding Streets:	Lotus St., Lavender St., Franklin Ave., Jonquil St.	
Zoning District:	HU-RM2 Historic Urban Multi-Family Residential District	
Historic District:	N/A	Planning District: 6
Existing Use:	Vacant Lot	Square Number: 20
Proposed Use:	Multi-Family Residence	Lot Number: 1-A
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 11-2B) and Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of a multi-family dwelling (80 units) with excessive building height, insufficient minimum permeable open space, excessive impervious surface in corner side yards, insufficient minimum interior side yard, mechanical equipment in a corner side yard, and insufficient off-street parking.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2B) – Maximum Building Height

Required: 48’ Provided: 51’-6” Waiver: 3’-6”

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

Required: 30% of lot area Provided: 6% of lot area Waiver: 24%

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

Required: 40% Provided: 46% (Lavender Street) Waiver: 6%

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

Required: 40% Provided: 43% (Jonquil Street) Waiver: 3%

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

Required: 10’ Provided: 7’ Waiver: 3’

Article 21, Section 21.6.T.1 – Mechanical Equipment

Required: No mechanical equipment in a corner side yard

Provided: Mechanical equipment in corner side yard

Waiver: Mechanical equipment in corner side yard

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

Required: 80 spaces (1 space/du) Provided: 71 spaces (22 grandfathered) Waiver: 9 spaces



ITEM 10 – Docket Number: 090-18

Applicant or Agent: CTN Holdings LLC, Scott Welty
Property Location: 726-728 S. Hennessey Street **Zip:** 70119
Bounding Streets: S. Solomon St., Tulane Ave., S. Hennessey St., Ulloa St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Mid-City **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 790
Proposed Use: Two-Family Residence **Lot Number:** B
Project Planner: Travis Martin (trlmartin@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 a two-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: 1 space/du (2 spaces) Provided: 0 spaces Waiver: 2 spaces



ITEM 11 – Docket Number: 091-18

Applicant or Agent: CTN Holdings LLC, Scott Welty
Property Location: 730-732 S. Hennessey Street **Zip:** 70119
Bounding Streets: S. Hennessey St., Ulloa St., S. Solomon St., Tulane Ave.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Mid-City **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 790
Proposed Use: Two-Family Residence **Lot Number:** A
Project Planner: Travis Martin (trlmartin@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 a two-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: 1 space/du (2 spaces) Provided: 0 spaces Waiver: 2 spaces



ITEM 12 – Docket Number: 094-18

Applicant or Agent: Chartres Properties LLC, Albert Architecture & Urban Design
Property Location: 4210-4214 Magazine Street **Zip:** 70115
Bounding Streets: Magazine St., Milan St., Constance St., Gen. Pershing St.
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: Uptown **Planning District:** 2
Existing Use: Mixed-Use **Square Number:** 204
Proposed Use: Mixed-Use **Lot Number:** 14A
Project Planner: Aspen Nero (asnero@nola.gov)

Request: This request is for a variance from the provisions of Article 22, Section 22.8.D of the Comprehensive Zoning Ordinance to permit the construction of a multi-family residence (3-unit) with a two-way traffic aisle with insufficient width.

Requested Waiver:

Article 22, Section 22.8.D – Access Requirements for Off-Street Vehicle Parking Areas
 Required: 24’ Provided: 12’ Waiver: 12’

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

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.

E. Director of Safety and Permits Decisions Appeals – New Business**ITEM 14 – Docket Number: 092-18**

Applicant or Agent: David Halpern
Property Location: 1152 Magazine Street **Zip:** 70130
Bounding Streets: Magazine St., Calliope Str., Constance St., Erato St.,
Zoning District: HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Building **Square Number:** 139
Proposed Use: Amusement Facility, Indoor **Lot Number:** A, B & C

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 Department of Safety and Permits would view a conditional use permitting an indoor amusement facility with standard restaurant, bar, and live entertainment components as secondary uses as tied together by necessity.

**ITEM 15 – Docket Number: 093-18**

Applicant or Agent: Justin B. Schmidt, Joseph Looney, Mary Looney
Property Location: 1000 Eleonore Street **Zip:** 70115
Bounding Streets: Eleonore St., Chestnut St., State St., Coliseum St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** -2
Proposed Use: Single-Family Residence **Lot Number:** Eleonore St.,

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 Building Permit No. 18-31052-RNVN allowing for the installation of thirty-four (34) solar panels on the Chestnut Street side of the roof of 1000 Eleonore Street contrary to the requirements set forth in Article 21, Section 21.6.DD.

F. Consideration – Adoption of the 2019 & 2020 Board of Zoning Adjustments Meeting Schedules**G. Adjournment**