



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Draft Agenda

September 10, 2018

MEETING INFORMATION

LOCATION

City Council Chambers

City Hall (1st Floor)
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 **September 20, 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, 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: 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 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 variances 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 minimum lot area, insufficient minimum lot width, 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

Article 14, Section 14.3.A.1 (Table 14-2) – Minimum Lot Width Requirements

Required: 50' Provided: 30' Waiver: 20'

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

Required: 7 spaces Provided: 0 spaces Waiver: 7 spaces



ITEM 4 – 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: 10% Waiver: 15%



ITEM 5 – 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%

C. Variances – New Business

ITEM 6 – Docket Number: 071-18

Applicant or Agent: David Leake, Patricia W. Hymel
Property Location: 822 Dante Street **Zip:** 70118
Bounding Streets: Dante St., Maple St., Cambronne St., Burthe St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 91
Proposed Use: Single-Family Residence **Lot Number:** 3
Project Planner: Haley Delery (hdelery@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 21.7 (Table 21-2) of the Comprehensive Zoning Ordinance to permit an addition to an existing single-family residence, resulting in insufficient rear yard setback, and the construction of a deck in the rear yard.

Requested Waivers:

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

Required: 15'-0" Provided: 10'-0" Waiver: 5'-0"

Article 21, Section 21.7 (Table 21-2) – Permitted Encroachments into Required Yards (Deck)

Required: No more than 10' Provided: 15' Waiver: 5'



ITEM 7 – Docket Number: 072-18

Applicant or Agent: Rene and Dana Baumer, Roland B. Laws, Jr.
Property Location: 572 Amethyst Street **Zip:** 70124
Bounding Streets: Amethyst St., Onyx St., Topaz St., Cameo St.
Zoning District: S-LRS2 Lake Vista and Lake Shore Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 6
Proposed Use: Single-Family Residence **Lot Number:** 17
Project Planner: Amos Jasper Wright (ajwright@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 the construction of a single-family residence with insufficient rear yard setback.

Requested Waiver:

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

Required: 17.6' Provided: 6' Waiver: 11.6'



ITEM 8 – Docket Number: 073-18

Applicant or Agent: Joseph Lavigne, 3700 N. Rampart LLC
Property Location: 3700 N. Rampart Street **Zip:** 70117
Bounding Streets: N. Rampart St., Pauline St., Burgundy St., Independence St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Bywater **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 289
Proposed Use: Single-Family Residence **Lot Number:** A
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request: This request is for variances from the provisions of Article 9, Section 9.3.A (Table 9-2) and Article 21, Section 21.6.A.8 of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient rear yard setback and the construction of an accessory structure with insufficient rear yard setback.

Requested Waivers:

Article 9, Section 9.3.A (Table 9-2) – Rear Yard Setback

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

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

Required: 3' Provided: 0' Waiver: 3'



ITEM 9 – Docket Number: 074-18

Applicant or Agent: Chris Loudon, Gordon Marc and Judith Loudon
Property Location: 7328 Plum Street **Zip:** 70118
Bounding Streets: Plum St., Pine St., Oak St., Lowerline St.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 9
Proposed Use: Single-Family Residence **Lot Number:** 51
Project Planner: Robin Jones (rcjones@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.A of the Comprehensive Zoning Ordinance to permit the construction of an accessory structure with excessive rear yard coverage and insufficient interior side and rear yard setbacks.

Requested Waivers:

Article 21, Section 21.6.A.3 – Accessory Structures and Uses (Rear Yard Coverage)

Permitted: 40% maximum Provided: 54% Waiver: 14%

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

Required: 3' Provided: 0.45' Waiver: 2.55'

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

Required: 3' Provided: 0.35' Waiver: 2.65'



ITEM 10 – Docket Number: 075-18

Applicant or Agent: Created Treasures Performing Arts Academy, Inc., Susan Reese

Property Location: 2023 S. Liberty Street **Zip:** 70113
Bounding Streets: S. Liberty St., Josephine St., LaSalle St., St. Andrew St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 324
Proposed Use: Single-Family Residence **Lot Number:** 22 (or Pt. Lots 2
Project Planner: Travis Martin (trlmartin@nola.gov) and 3)

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 single-family residence with excessive front yard setback, insufficient interior side yard setback, and a parking space in the front yard.

Requested Waivers:

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

Permitted: 20' Provided: 28' Waiver: 8'

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

Required: 3' Provided: 1'-10' Waiver: 1'-2"

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



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

ITEM 11 – 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. Consideration – Election of Officers

F. Adjournment