



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Final Agenda

December 9, 2019

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

José Alvarez

Jaime Ramiro Diaz

Alfonso Gonzalez II

Deborah Harkins

Mary Harper Malone

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 4 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 **December 19, 2019**.

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: 054-19

Applicant or Agent: Arbor Towne LLC, Studio WTA, Ross Karsen
Property Location: 1800 Jefferson Avenue **Zip:** 70115
Bounding Streets: Jefferson Ave., Danneel St., Octavia St., S. Saratoga St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 490
Proposed Use: Single-Family Residence **Lot Number:** 20
Project Planner: Emily Ramírez Hernández (erhernandez@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.B of the Comprehensive Zoning Ordinance to permit an addition onto an existing single-family residence, resulting in insufficient corner side yard setback and insufficient rear yard setback, and a curb cut with excessive width.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Corner Side Yard Setback		
Required: 2 ft	Proposed: 0 ft	Waiver: 2 ft
Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback		
Required: 15 ft	Proposed: 0 ft	Waiver: 15 ft
Article 22, Section 22.11.B – Curb Cuts		
Permitted: 12 ft	Proposed: 18 ft, 5 3/8 in	Waiver: 6 ft, 5 3/8 in



ITEM 2 – Docket Number: 060-19

Applicant or Agent:	Maymar Engineers & Contractors, LLC	
Property Location:	2008 Poydras Street	Zip: 70112
Bounding Streets:	Poydras St., Interstate 10, S. Prieur St.	
Zoning District:	LI Light Industrial District	
Historic District:	N/A	Planning District: 4
Existing Use:	Vacant Lot	Square Number: 494
Proposed Use:	Billboard	Lot Number: 14
Project Planner:	Rachael Berg (rberg@nola.gov)	

Request: This request is for variances from the requirements of Article 24, Section 24.14.B.1 (Table 24-3), Article 24, Section 24.14.C (3), Article 24, Section 24.14.C (4), and Article 24, Section 24.14.C (5) to permit a one-sided billboard along an interstate highway within less than 1,000 linear feet of five billboards and with insufficient setback from the front and rear property lines.

Requested Waivers:**Article 24, Section 24.14.B.1 (Table 24-3) – Permitted Billboard Locations (non-freeway roadways)**

Required: 1,000 ft	Proposed: 860 ft	Waiver: 140 ft
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Article 24, Section 24.14.C (3) – Billboard Standards (Distance)

Required: 1,000 ft	Proposed: 860 ft	Waiver: 140 ft
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Article 24, Section 24.14.C (3) – Billboard Standards (Distance)

Required: 1,000 ft	Proposed: 290 ft	Waiver: 710 ft Article
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24, Section 24.14.C (3) – Billboard Standards (Distance)

Required: 1,000 ft	Proposed: 358 ft	Waiver: 642 ft
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Article 24, Section 24.14.C (3) – Billboard Standards (Distance)

Required: 1,000 ft	Proposed: 607 ft	Waiver: 393 ft Article
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24, Section 24.14.C (3) – Billboard Standards (Distance)

Required: 1,000ft	Proposed: 530 ft	Waiver: 470 ft
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Article 24, Section 24.14.C (4) – Billboard Standards (Setback)

Required: 5 ft	Proposed: 0 ft	Waiver: 5 ft
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Article 24, Section 24.14.C (4) – Billboard Standards (Setback)

Required: 5 ft	Proposed: 0 ft	Waiver: 5 ft
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Article 24, Section 24.14.C (5) – Billboard Standards (Electronic Billboards)

Required: 1,000 ft	Proposed: 607 ft	Waiver: 393 ft
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ITEM 3 – Docket Number: 064-19

Applicant or Agent: LSU Health Foundation New Orleans, JMH Realty LLC, USL-2101 Poydras, LLC
Property Location: 2123 Poydras Street **Zip:** 70112
Bounding Streets: Poydras St., S. Galvez St., Perdido St., S. Johnson St.
Zoning District: MS Medical Service District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 517
Proposed Use: Dormitory **Lot Number:** 086
Project Planner: Haley Delery (hdelery@nola.gov)

Request: This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) and Article 22, Section 22.8.B.1 of the Comprehensive Zoning Ordinance to permit the construction of a dormitory with excessive building height, insufficient front yard setback, insufficient corner side yard setback, insufficient rear yard setback, insufficient interior side yard setback, and parking that is not located on the same lot.

Requested Waivers:**Article 15, Section 15.3.A.1 (Table 15-2) – Maximum Building Height**

Permitted: 100 ft	Proposed: 118 ft	Waiver: 18 ft
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Article 15, Section 15.3.A.1 (Table 15-2) – Front Yard Setback (Poydras)

Required: 20 ft	Proposed: 0 ft	Waiver: 20 ft
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Article 15, Section 15.3.A.1 (Table 15-2) – Corner Side Yard Setback (S. Johnson)

Required: 10 ft	Proposed: 0 ft	Waiver: 10 ft
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Article 15, Section 15.3.A.1 (Table 15-2) – Interior Side Yard Setback

Required: 10 ft	Proposed: 5 ft	Waiver: 5 ft
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Article 15, Section 15.3.A.1 (Table 15-2) – Rear Yard Setback

Required: 10 ft	Proposed: 5 ft	Waiver: 5 ft
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Article 22, Section 22.8.B.1 – Permitted Vehicle Parking Locations

Required: on-site	Proposed: off-site	Waiver: on-site
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ITEM 4 – Docket Number: 084-19

Applicant or Agent: NOLA Life LLC, Erika Gates
Property Location: 1038 Milan Street **Zip:** 70115
Bounding Streets: Milan St., Camp St., Gen. Pershing St., Chestnut St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 12
Existing Use: Single-Family Residence **Square Number:** 24
Proposed Use: Single-Family Residence **Lot Number:** 2 & 3
Project Planner: Haley Delery (hdelery@nola.gov)

Request: This request is for a variance from the provisions of Article 21, Section 21.6.A.8 of the Comprehensive Zoning Ordinance to permit the construction of an accessory structure located in front of the abutting structure’s front building line.

Requested Waiver:

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

Required: Behind abutting structure’s front building line
 Proposed: In front of abutting structure’s front building line
 Waiver: In front of abutting structure’s front building line



C. Variances – New Business

Item 5 – Docket Number: 105-19

Applicant or Agent: 1212 S Roman LLC
Property Location: 1212 S. Roman Street **Zip:** 70125
Bounding Streets: Milan St., Camp St., Gen. Pershing St., Chestnut St.
Zoning District: C-2 Auto-Oriented Commercial District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 483
Proposed Use: Mardi Gras Den **Lot Number:** 14-A
Project Planner: Amos Wright (ajwright@nola.gov)

Request: This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) and Article 22, Section 22.11.B.2 to permit the construction of a Mardi Gras Den with insufficient permeable open space, insufficient corner side yard setback, and excessive curb cut width.

Requested Waivers:

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

Required: 20% Proposed: 11.8% Waiver: 8.2%

Article 15, Section 15.3.A.1 (Table 15-2) – Corner Side Yard Setback

Required: 10 ft Proposed: 1 in Waiver: 9 ft, 11 in

Article 22, Section 22.11.B – Curb Cuts

Permitted: 24 ft Proposed: 30 ft Waiver: 6 ft



Item 6 – Docket Number: 106-19

Applicant or Agent: Joseph K. Martin, Edge Contractors, LLC
Property Location: 3127 Orleans Avenue **Zip:** 70119
Bounding Streets: Orleans Ave., N. Lopez St., St. Ann St., N. Rendon St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 430
Proposed Use: Single-Family Residence **Lot Number:** 18
Project Planner: Joanna B. Farley (jbfarley@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.T, Article 21, Section 21.6.EE.1, and Article 21, Section 21.6.EE.3 to permit the construction of a swimming pool with insufficient setback from the interior side and rear lots lines, insufficient walk space on the exterior of the pool, and mechanical equipment with insufficient setback from an interior side lot line.

Requested Waivers:

Article 21, Section 21.6.T – Mechanical Equipment

Required: 3 ft Proposed: 1 ft, 7 in Waiver: 1 ft, 5 in

Article 21, Section 21.6.EE.1 – Swimming Pools (Distance from Interior Side Lot Line)

Required: 4 ft Proposed: 2 ft, 3in Waiver: 1ft, 9 in

Article 21, Section 21.6.EE.1 – Swimming Pools (Distance from Interior Side Lot Line)

Required: 4 ft Proposed: 2 ft, 3in Waiver: 1ft, 9 in

Article 21, Section 21.6.EE.1 – Swimming Pools (Distance from Rear Lot Line)

Required: 4 ft Proposed: 2 ft, 3in Waiver: 1 ft, 9 in

Article 21, Section 21.6.EE.3 – Swimming Pools (Walk Space)

Required: 50% Proposed: 29.2% Waiver: 20.8%



Item 7 – Docket Number: 107-19

Applicant or Agent: GCH LLC, Rebecca Hurst
Property Location: 8637-8641 Willow Street **Zip:** 70118
Bounding Streets: Willow St., Leonidas St., Jeanette St., Monroe St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 716
Proposed Use: Single-Family Residence **Lot Number:** 9
Project Planner: Valerie Goines (valerie.goines@nola.gov)

Request: This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2), in conjunction with Subdivision Docket 120-19, to permit the creation of a lot with insufficient interior side yard setback.

Requested Waiver:

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

Required: 3 ft Proposed: 3 in Waiver: 2ft, 9in



D. Director of Safety and Permits Decisions Appeals – Unfinished Business**ITEM 8 – Docket Number: 030-19**

Applicant or Agent: Karen Ocker, Jesuit High School, Mark Herman, Gayle V. Gagliano, Kim Loubat, Elliot J. Weiner, Anita Sanchez-Giles, Lisa Gagliano-Dawson
Property Location: 4133 Banks Street **Zip:** 70119
Bounding Streets: S. Carrollton Ave., Banks St., S. Hennessey St., Palmyra St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Mid-City **Planning District:** 4
Existing Use: Secondary Educational Facility **Square Number:** 781
Proposed Use: Secondary Educational Facility **Lot Number:** 015

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 whether to reverse Director Zachary R. Smith’s interpretation in Zoning Interpretation Memorandum Z-19-01 without evaluating the Director’ decision with any heightened deference.

**ITEM 9 – Docket Number: 104-19**

Applicant or Agent: Erin Holmes, Vieux Carré Property Owners, Residents, and Associates
Property Location: 601-607 Chartres Street **Zip:** 70130
Bounding Streets: Chartres St., Toulouse St., Royal St., St. Peter St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: Vieux Carré **Planning District:** 1b
Existing Use: Subject of Appeal **Square Number:** 42
Proposed Use: Subject of Appeal **Lot Number:** R

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 subject use is a standard restaurant and not a fast food restaurant.

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

ITEM 10 – Docket Number: 108-19

Applicant or Agent: Monte C. Shalett
Property Location: 6414 Cartier Drive **Zip:** 70122
Bounding Streets: Cartier Dr., Killdeer St., Oriole St., St. Bernard Ave.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Single-Family Residence **Square Number:** 1
Proposed Use: Single Family Residence **Lot Number:** 5

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 Building Permit No. 19-26848-ACCS allowing for the demolition and reconstruction of an existing, legal nonconforming carport.



F. Adjournment