



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Final Agenda

June 10, 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 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 **June 20, 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: 017-19

Applicant or Agent: Mitchell L. Cooper, Steve Olson, S. Olson Architects, LLC
Property Location: 1207 State Street **Zip:** 70115
Bounding Streets: State St., Prytania St., Eleonore St., Perrier St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 24
Proposed Use: Single-Family Residence **Lot Number:** 3
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.A.7 of the Comprehensive Zoning Ordinance to permit the construction of an accessory structure with insufficient interior side yard and rear yard setbacks.

Requested Waivers:

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

Required: 3' Proposed: 0'-0" Waiver: 3'

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

Required: 0' or 3' Proposed: 1'-1 or 1'-11" Waiver: 1'-1 or 1'-11"



ITEM 2 – Docket Number: 025-19

Applicant or Agent: Read Commercial Investments LLC, Stephanie Chambliss
Property Location: 5733 Read Boulevard **Zip:** 70127
Bounding Streets: Read Blvd., Interstate Highway I-10, Farrar Canal, Lake Forest Blvd.
Zoning District: C-2 Auto-Oriented Commercial District
Historic District: N/A **Planning District:** 9
Existing Use: Vacant Building **Square Number:** 24
Proposed Use: Restaurant, Specialty **Lot Number:** 3D-3B
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for variances from the provisions of Article 24, Section 24.12.D (Table 24-2) and Article 24, Section 24.12.D.2 of the Comprehensive Zoning Ordinance to permit a freestanding pole sign with excessive sign area, excessive sign height, and insufficient setback from a lot line.

Requested Waivers:

Article 24, Section 24.12.D (Table 24-2) – Freestanding Signs (Area)

Permitted: 32 ft² Provided: 63.18 ft² Waiver: 31.18 ft²

Article 24, Section 24.12.D (Table 24-2) – Freestanding Signs (Height)

Permitted: 20'-0" Provided: 23'-0" Waiver: 3'-0"

Article 24, Section 24.12.D.2 – Freestanding Signs (Setbacks)

Required: 5'-0" Provided: 0'-6" Waiver: 4'-6"

ITEM 3 – Docket Number: 026-19

Applicant or Agent: Brian Gille Architects, Ltd, Marcus V. Brown, Nanette J. Brown
Property Location: 4917 St. Charles Avenue **Zip:** 70115
Bounding Streets: St. Charles Ave., Robert St., Carondelet St., Upperline St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Saint Charles Avenue **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 409
Proposed Use: Single-Family Residence **Lot Number:** C-1
Project Planner: Brooke Perry (btperry@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 an addition to an existing single-family residence, resulting in insufficient rear yard setback.

Requested Waiver:

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

Required: 20'

Provided: 5'-7"

Waiver: 14'-5"

C. Variances – New Business**ITEM 4 – Docket Number: 031-19**

Applicant or Agent: Jahan Aghakasiri, Abdolreza Vadiiee, Carol Vadiiee
Property Location: 28 Newcomb Boulevard **Zip:** 70118
Bounding Streets: Freret St., Newcomb Blvd., St. Charles Ave., Audubon St.
Zoning District: HU-RS Historic Urban Single-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 69
Proposed Use: Single-Family Residence **Lot Number:** 046
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.B.3 (a), Article 21, Section 21.7 (Table 21-2), Article 22, Section 22.8.B.1, Article 22, Section 22.11.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 and three curb cuts where only one curb cut is permitted.

Requested Waivers:**Article 11, Section 11.3.B.3 (a) – Parking Restrictions**

Required: No front yard parking Provided: Front yard parking Waiver: Front yard parking

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

Required: No parking space in front yard

Provided: Parking space in front yard

Waiver: Parking space in front yard

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.B (1) – Curb Cuts

Permitted: 1 curb cut Proposed: 3 curb cuts (1 grandfathered) Waiver: 1 curb cut

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 5 – Docket Number: 032-19

Applicant or Agent: GKS Holdings LLC, Layton Fernandez
Property Location: 1239 S. Saratoga Street **Zip:** 70113
Bounding Streets: S. Saratoga St., Erato St., Simon Bolivar Blvd., Clio St.
Zoning District: HU-RM2 Historic Urban Multi-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 313
Proposed Use: Two-Family Residence **Lot Number:** 1
Project Planner: Wheeler Manouchehri (wheeler.manouchehri@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.

Requested Waiver:

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

Required: 20'

Provided: 18'-2"

Waiver: 1'-10"



ITEM 6 – Docket Number: 033-19

Applicant or Agent: La Fleur Properties LLC, Elizabeth Blange
Property Location: 2111 Erato Street **Zip:** 70113
Bounding Streets: Erato St., Simon Bolivar Blvd., Clio St., S. Saratoga St.
Zoning District: HU-RM2 Historic Urban Multi-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 313
Proposed Use: Single-Family Residence **Lot Number:** Pt. 1
Project Planner: Robin Jones (rcjones@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 single-family residence with insufficient rear yard setback.

Requested Waiver:

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

Required: 20'

Provided: 3'

Waiver: 17'



ITEM 7 – Docket Number: 034-19

Applicant or Agent: City Of New Orleans, Charlotte Throop
Property Location: 2761 Gravier Street **Zip:** 70119
Bounding Streets: Gravier St., S. White St., Tulane Ave., S. Broad St.
Zoning District: LI Light Industrial District
Historic District: N/A **Planning District:** 4
Existing Use: Parking Lot (Principal Use) **Square Number:** 602
Proposed Use: Public Works and Safety Facility **Lot Number:** 033
Project Planner: Rachael Berg (rberg@nola.gov)

Request: This request is for variances from the provisions of Article 16, Section 16.3.A.1 (Table 16-2) and Article 22, Section 22.10.B.1 of the Comprehensive Zoning Ordinance to permit the construction of a public works and safety facility with insufficient corner side yard setback and insufficient loading space length.

Requested Waivers:

Article 16, Section 16.3.A.1 (Table 16-2) – Corner Side Yard Setback
 Required: 10’ Provided: 0’ Waiver: 10’
Article 22, Section 22.10.B.1 – Design of Off-Street Loading Spaces (Dimensions)
 Required: 35’ Provided: 24’ Waiver: 11’



ITEM 8 – Docket Number: 035-19

Applicant or Agent: Nitale Investments LLC, Sam Levin
Property Location: 2013 Orleans Avenue **Zip:** 70116
Bounding Streets: Orleans Ave., N. Johnson St., St. Ann St., N. Prieur St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: Tremé **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 253
Proposed Use: Single-Family Residence **Lot Number:** A
Project Planner: Travis Martin (trlmartin@nola.gov)

Request: This request is for a variance from the provisions of Article 12, Section 12.3.A.1 (Table 11-2) of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient minimum lot width.

Requested Waiver:

Article 12, Section 12.3.A.1 (Table 12-2) – Minimum Lot Width
 Required: 25’ Provided: 20’ Waiver: 5’



ITEM 9 – Docket Number: 036-19

WITHDRAWN

Applicant or Agent: 6301 Perrier LLC, Jason C. Napoli, Alexis Butler
Property Location: 6301-03 Perrier Street **Zip:** 70118
Bounding Streets: Perrier St., Exposition Blvd., Prytania St., Calhoun St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Two-Family Residence **Square Number:** 45
Proposed Use: Single-Family Residence **Lot Number:** T-1
Project Planner: Amos Jasper Wright (ajwright@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 single-family residence with insufficient rear yard setback.

Requested Waiver:

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

Required: 12.81'

Proposed: 3'

Waiver: 9.81'



ITEM 10 – Docket Number: 037-19

Applicant or Agent: Pablo Gonzalez, Ashley Gonzalez
Property Location: 1205 Seventh Street **Zip:** 70115
Bounding Streets: Seventh St., Chestnut St., Sixth St., Camp St.
Zoning District: HU-RD1 Historic Urban Two-Family Residential District
Historic District: Garden District **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 163
Proposed Use: Single-Family Residence **Lot Number:** 1
Project Planner: Haley Delery (hdelery@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.B.3 (a), Article 21, Section 21.7 (Table 21-2), Article 22, Section 22.11.B, and Article 22, Section 22.11.D.1 of the Comprehensive Zoning Ordinance to permit the construction of a curb cut with excessive width and a parking pad in the required corner side yard.

Requested Waivers:

Article 11, Section 11.3.B.3 (a) – Parking Restrictions

Required: No parking space in corner side yard

Proposed: Parking space in corner side yard

Waiver: Parking space in corner side yard

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

Required: No parking space in corner side yard

Proposed: Parking space in corner side yard

Waiver: Parking space in corner side yard

Article 22, Section 22.11.B – Curb Cuts

Required: 12'

Proposed: 18'

Waiver: 6'

Article 22, Section 22.11.D.1 – Parking Pad Design (Location)

Required: No parking space in corner side yard

Proposed: Parking space in corner side yard

Waiver: Parking space in corner side yard



ITEM 11 – Docket Number: 038-19

Applicant or Agent: Supreme Council of Louisiana, Jeffrey Frank Carroll
Property Location: 3200 St. Bernard Avenue **Zip:** 70119
Bounding Streets: Florida Ave., Frey Pl., St. Bernard Ave.
Zoning District: C-1 General Commercial District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** W
Proposed Use: Social Club or Lodge **Lot Number:** 075
Project Planner: Brooke Perry (btperry@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 the construction of a social club or lodge with excessive front yard setback.

Requested Waiver:

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

Required: 0' (+/- 3 ft. variation) Proposed: 23'- 4 ½" Waiver: 20'- 4½"



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

ITEM 12 – Docket Number: 023-19

Applicant or Agent: Thelma M. Cole
Property Location: 1932 Joliet Street **Zip:** 70118
Bounding Streets: Joliet St., Spruce St., Leonidas St., Cohn St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Subject of Appeal **Square Number:** 260
Proposed Use: Bar **Lot Number:** 29

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 property has not retained legal non-conforming status as a bar.



ITEM 13 – Docket Number: 029-19**WITHDRAWN**

Applicant or Agent: Renisha Robinson
Property Location: 4781-83 Eastern Street **Zip:** 70122
Bounding Streets: Mirabeau Ave., Peoples Ave., Eastern St., Carnot St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Two-Family Residence **Square Number:** 45
Proposed Use: Two-Family Residence **Lot Number:** 23A/ 045

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 legal, non-conforming two-family dwelling is prohibited from expansion or increase in cubical content.

E. Director of Safety and Permits Decisions Appeals – New Business**ITEM 14 – Docket Number: 039-19**

Applicant or Agent: Kevin D. Hilbert, PWS Properties, L.L.C. Brad Swanford
Property Location: 7815 Leake Avenue **Zip:** 70118
Bounding Streets: Leake Ave., Fern St., Dominican St., Burdette St., Benjamin St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 48
Proposed Use: Single-Family Residence **Lot Number:** 1-A

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. 19-02839-NEWC for the construction of a single-family residence with a non-compliant front yard build-to line.

**ITEM 15 – Docket Number: 040-19**

Applicant or Agent: LA PKWY 2 LLC
Property Location: 3435 Louisiana Avenue Parkway **Zip:** 70125
Bounding Streets: Louisiana Avenue Pkwy., S. Galvez St., Toledano St., S. Roman St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Subject of Appeal **Square Number:** D
Proposed Use: Multi-Family Residence **Lot Number:** A

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 property has not retained legal non-conforming status as a multi-family (four-plex) development.



ITEM 16 – Docket Number: 041-19

Applicant or Agent: Franklin Avenue LLC
Property Location: 2611 N. Robertson Street **Zip:** 70117
Bounding Streets: Franklin Ave., N. Claiborne Ave., Port St., N. Robertson St.
Zoning District: C-1 General Commercial District
Historic District: N/A **Planning District:** 7
Existing Use: Subject of Appeal **Square Number:** 648
Proposed Use: Motor Vehicle Service and Repair, Minor **Lot Number:** 5-A

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 property has not retained legal non-conforming status as a motor vehicle repair use.

**ITEM 17 – Docket Number: 042-19**

Applicant or Agent: Christopher Stephens
Property Location: 846 Bartholomew Street **Zip:** 70117
Bounding Streets: Bartholomew St., Dauphine St., Alvar St., Burgundy St.
Zoning District: HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District
Historic District: Bywater **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 242
Proposed Use: Short-Term Rental **Lot Number:** 22

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 short-term rental license No. 19STR-05715 for a short-term rental with insufficient off-street parking.

**ITEM 18 – Docket Number: 043-19**

Applicant or Agent: Christopher Stephens
Property Location: 3948 Burgundy Street **Zip:** 70117
Bounding Streets: Burgundy St., Alvar St., Dauphine St., Bartholomew St.
Zoning District: HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District
Historic District: Bywater **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 242
Proposed Use: Short-Term Rental **Lot Number:** 24

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 short-term rental license No. 19STR-05716 for a short-term rental with insufficient off-street parking.



ITEM 19 – Docket Number: 044-19

Applicant or Agent: Bewajobe Corporation, Jon F. Leyens
Property Location: 2101-2105 Canal Street **Zip:** 70112
Bounding Streets: Canal St., N. Johnson St., Iberville St., N. Galvez St.
Zoning District: MU-1 Medium Intensity Mixed-Use District
Historic District: Mid-City **Planning District:** 4
Existing Use: Subject of Appeal **Square Number:** 275
Proposed Use: Principal Parking Lot **Lot Number:** 1

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 property has not retained legal non-conforming status as a principal parking lot.

F. Adjournment