



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Final Agenda

May 13, 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 **May 23, 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: 086-18

WITHDRAWN

Applicant or Agent: Iglesia Pentecostal Refugio de Salvación
Property Location: 3001 Behrman Highway **Zip:** 70114
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 Ramírez Hernández (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 ft ²	Proposed: 14,580 ft ²	Waiver: 5,420 ft ²
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: 57 spaces	Proposed: 15 spaces	Waiver: 42 spaces
Article 23, Section 23.8 – Buffer Yards		
Required: Buffer yard	Proposed: No buffer yard	Waiver: No buffer yard



ITEM 2 – Docket Number: 007-19

Applicant or Agent: Mark Mantooh, Lucy Car
Property Location: 6437 Colbert Street **Zip:** 70124
Bounding Streets: Colbert St., Lane St., Louisville St., Bragg St.
Zoning District: S-LRS1 Suburban Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Single-Family Residence **Square Number:** 220
Proposed Use: Single-Family Residence **Lot Number:** 13, 14
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request: This request is for variances from the provisions of Article 13, Section 13.3.B.1.b and Article 21, Section 21.6.A.7 of the Comprehensive Zoning Ordinance to permit the construction of a front facing garage with insufficient setback from the interior side property line for a single-family dwelling with rear alley access.

Requested Waivers:**Article 13, Section 13.3.B.1.b – Parking Area Location (Garage)**

Required: No front facing garage

Provided: Front facing garage

Waiver: Front facing garage

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

Required: 3' (minimum)

Proposed: 0'

Waiver: 3'

**ITEM 3 – Docket Number: 012-19****WITHDRAWN**

Applicant or Agent: Sarah Anne Tetlow, Graham Hill, Concordia Architects
Property Location: 5932 Annunciation Street **Zip:** 70115
Bounding Streets: Tchoupitoulas St., State St., Annunciation St., Alonzo St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 6
Proposed Use: Single-Family Residence **Lot Number:** A
Project Planner: Wheeler L. Manouchehri (wheeler.manouchehri@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.EE.1 and Article 21, Section 21.7 of the Comprehensive Zoning Ordinance to permit the construction of a pool less than four (4) feet from any lot line and encroaching within the corner lot side yard for a single-family dwelling.

Requested Waivers:**Article 21, Section 21.6.EE.1 – Swimming Pools (Location)**

Required: 4'

Provided: 2.5'

Waiver: 1.5'

Article 21, Section 21.6.EE.1 – Swimming Pools (Location)

Required: Not located in corner lot side yard

Provided: Located in corner lot side yard

Waiver: Located in corner lot side yard

ITEM 4 – Docket Number: 016-19

Applicant or Agent: Observe LLC, Avery Foret
Property Location: 3145 Piety Street **Zip:** 70118
Bounding Streets: Piety St., Benefit St., Oliver White Ave., Treasure St.
Zoning District: S-RD Suburban Two-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 3
Proposed Use: Two-Family Residence **Lot Number:** A
Project Planner: Rachael Berg (rberg@nola.gov)

Request: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) and Article 22, Section 22.11.B of the Comprehensive Zoning Ordinance to permit the construction of a two-family residence with insufficient minimum lot width and two curb cuts where only one curb cut is permitted.

Requested Waivers:

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

Required: 50' Proposed: 39'-7 3/8" Waiver: 10'-4 5/8"

Article 22, Section 22.11.B – Curb Cuts

Permitted: 1 curb cut Proposed: 2 curb cuts Waiver: 1 curb cut



ITEM 5 – 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 a variance 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 setback.

Requested Waiver:

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

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



ITEM 6 – Docket Number: 019-19

WITHDRAWN

Applicant or Agent: Bethany Builders LLC, Thyron Gasquet, Denise G. Gasquet
Property Location: 916 St. Ferdinand Street -A **Zip:** 70117
Bounding Streets: St. Ferdinand St., Burgundy St., Port St., N. Rampart St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District RDO-1
Historic District: Faubourg Marigny **Planning District:** 1b
Existing Use: Single-Family Residence **Square Number:** 279
Proposed Use: Two Single-Family Residences **Lot Number:** 11-A
Project Planner: Kelly Butler (kgbutler@nola.gov)

Request: This request is for variances from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance to permit the construction of a second dwelling unit with insufficient interior side yard setback and insufficient rear yard setback (**AFTER THE FACT**).

Requested Waivers:

Article 9, Section 9.3.A (Table 9-2) – Interior Side Yard Setback		
Required: 3’	Proposed: 0’	Waiver: 3’
Article 9, Section 9.3.A (Table 9-2) – Rear Yard Setback		
Required: 20’	Proposed: 4”	Waiver: 19'-8"



C. Variances – New Business

ITEM 7 – Docket Number: 024-19

WITHDRAWN

Applicant or Agent: Brown Beatriz, BNB LLC
Property Location: 2505-2507 Amelia Street **Zip:** 70115
Bounding Streets: Amelia St., S. Robertson St., Delachaise St., Freret St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 596
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Aspen Nero (asnero@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 minimum permeable open space.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Permeable Open Space		
Required: 30%	Proposed: 14.1% (25.7% grandfathered)	Waiver: 11.6%



ITEM 8 – 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.2 and Section 24.12.D (Table 24-2) of the Comprehensive Zoning Ordinance to permit a freestanding pole sign with insufficient setback from a lot line, excessive sign area, and excessive sign height.

Requested Waivers:

Article 24, Section 24.12.D.2 – Freestanding Signs (Setbacks)
 Required: 5'-0" Provided: 0'-6" Waiver: 4'-6"
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"



ITEM 9 – 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"



D. Director of Safety and Permits Decisions Appeals – New Business**ITEM 10 – Docket Number: 027-19**

Applicant or Agent: Maymar Engineers & Contractors LLC
Property Location: 2008 Poydras Street **Zip:** 70112
Bounding Streets: Poydras St., Interstate 10., South 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

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 proposed billboard is in a prohibited location.

**ITEM 11 – Docket Number: 028-19**

Applicant or Agent: Jay Doucette, Meals from the Heart Café
Property Location: 1101 N. Peters Street **Zip:** 70116
Bounding Streets: N. Peters St., Ursulines Ave., French MKT Pl., Barracks St.
Zoning District: VCS Vieux Carré Service District
Historic District: N/A **Planning District:** 1b
Existing Use: Subject of Appeal **Square Number:** 12
Proposed Use: Subject of Appeal **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 fast-food or carry-out restaurants may not apply for a conditional use to permit the sale of alcoholic beverages.

**ITEM 12 – Docket Number: 029-19**

Docket Number: BZA029-19
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.

ITEM 13 – 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 regarding Zoning Memorandum Z-19-01, resulting in the issuance of a building permit for the construction of a pedestrian bridge.

E. Adjournment