

### **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.

# **Board of Zoning Adjustments**

## **FINAL AGENDA**

MARCH 9, 2020

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 March 19, 2020.

#### **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: 053-19

**Applicant or Agent:** I-10 Lodging LLC, Mike Desai

**Property Location:** 12000 Levy Drive **Zip:** 70128

**Bounding Streets:** Levy Dr., Bullard Ave.

**Zoning District:** C-1 General Commercial District

**Overlay District:** CT Corridor Transformation Design Overlay District

Historic District:N/APlanning District:9Existing Use:Vacant LotSquare Number:Sec 26

Proposed Use: Hotel/Motel Lot Number: L-2

Project Planner: Sabine Lebailleux (selebailleux@nola.gov)

**Request:** This request is for a variance from the provisions of Article 22, Section 22.4.B of the Comprehensive Zoning Ordinance to permit the construction of a hotel with off-street parking above the maximum allowed.

## **Requested Waiver:**

## **Article 22, Section 22.4.B – Maximum Vehicle Parking Limitations**

Permitted: 63 spaces (maximum) Proposed: 88 spaces Waiver: 25 spaces

ITEM 2 – 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/APlanning District: 4Existing Use:Vacant LotSquare Number: 517Proposed Use:DormitoryLot Number: 086

Project Planner: Haley Delery (<a href="https://delery@nola.gov">https://delery@nola.gov</a>)

**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

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

Required: 20 ft Proposed: 0 ft Waiver: 20 ft

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

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

Required: 10 ft Proposed: 5 ft Waiver: 5 ft

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

Required: 10 ft Proposed: 5 ft Waiver: 5 ft

**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 3 - Docket Number: 013-20

**Applicant or Agent:** William P. Dokianos, Webre Consulting, LLC,

Property Location:1418 Melpomene AvenueZip: 70130Bounding Streets:Melpomene Ave., Prytania St., Terpsichore St., Coliseum St.Zoning District:HU-RD2 Historic Urban Two-Family Residential District

Historic District:Lower Garden DistrictPlanning District: 3Existing Use:Single-Family ResidenceSquare Number: 193Proposed Use:Single-Family ResidenceLot Number: 4A

**Project Planner:** Joanna Farley (jbfarley@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 interior side yard setback (AFTER THE FACT).

## **Requested Waiver:**

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

Required: 3 ft Proposed: 2 ft Waiver: 1 ft

#### C. Variances – New Business

ITEM 4 - Docket Number: 017-20

**Applicant or Agent:** 455 Galvez Street QB, LLC, Cullan Maumus

Property Location: 455 S. Galvez Street Zip: 70119

**Bounding Streets:** Galvez St. Gravier St., S. Miro St., Tulane Ave.

**Zoning District:** MU-2 High Intensity Mixed-Use District

Historic District:Mid-City Historic DistrictPlanning District: 4Existing Use:WarehouseSquare Number: 527Proposed Use:Standard RestaurantLot Numbers: A, B, C

**Project Planner:** Travis Martin (<a href="mailto:trlmartin@nola.gov">trlmartin@nola.gov</a>)

**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 a standard restaurant use with insufficient off-street vehicle parking spaces.

## **Requested Waiver:**

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

Required: 24 spaces Proposed: 0 spaces (1 grandfathered) Waiver: 23 spaces



ITEM 5 – Docket Number: 018-20

**Applicant or Agent:** Damien Job, Recovery School District, Orleans Parish School Board **Property Location:** 3520 Dryades Street **Zip:** 70115

**Bounding Streets:** Dryades St., Delachaise St., Baronne St., Amelia St. **Zoning District:** HU-RD2 Historic Urban Two-Family Residential District

Historic District:UptownPlanning District: 2Existing Use:Educational Facility, SecondarySquare Numbers: 462A

Proposed Use: Educational Facility, Secondary Lot Number: TEB

Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

**Request:** This request is for variances from the provisions of Article 22, Section 22.4.A (Table 22-1), Article 22, Section 22.8.B.2, Article 22, Section 22.10.A, Article 22, Section 22.10.B, Article 22, Section 22.10.E, and Article 23, Section 23.13.B of the Comprehensive Zoning Ordinance to permit a secondary educational facility use with insufficient off-street parking spaces, parking between the street line and the front façade, and a loading space/berth with insufficient depth located in the front yard that is visible from the street and may interfere with traffic.

## **Requested Waivers:**

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

Required: 143 spaces Proposed: 40 spaces Waiver: 103 spaces

Article 22, Section 22.8.B.2 – Permitted Vehicle Parking Locations (Non-Residential Uses)

Required: No parking between street line and front façade Proposed: Parking between street line and front façade Waiver: Parking between street line and front façade

Article 22, Section 22.10.A – Design of Off-Street Loading Spaces (Location)

Required: No loading space in front yard Proposed: Loading space in front yard Waiver: Loading space in front yard

Article 22, Section 22.10.B – Design of Off-Street Loading Spaces (Dimensions—Length)
Required: 35 feet Proposed: 11 feet Waiver: 24 feet

Article 22, Section 22.10.E – Design of Off-Street Loading Spaces (Access Control)

Required: Minimizes interference with traffic

Proposed: Interference with traffic Waiver: Interference with traffic

Article 23, Section 23.13.B – Loading Berths

Required: Not visible from street/adjacent properties Proposed: Visible Waiver: Visible

ITEM 6 - Docket Number: 019-20

Applicant or Agent: MLM Holdings, LLC, Eugene Wetzer

Property Location: 1529 North Villere Street Zip: 70116

**Bounding Streets:** Columbus St., N. Villere St., Laharpe St., N. Robertson St. **Zoning District:** HMR-3 Historic Marigny/Tremé/ Bywater Residential District

Historic District:Esplanade RidgePlanning District: 4Existing Use:VacantSquare Number: 626Proposed Use:Single-Family ResidenceLot Number: F

Project Planner: Valerie Goines (<u>valerie.goines@nola.gov</u>)

**Request:** This request is for a variance from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient rear yard setback.

## **Requested Waiver:**

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

Required: 20 ft Proposed: 10 ft Waiver: 10ft

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ITEM 7 - Docket Number: 020-20

**Applicant or Agent:** Private Connection Property, Inc., William W. Alden

**Property Location:** 1024 Lopez Street **Zip:** 70125

**Bounding Streets:** S. Lopez St., Euphrosine St., S. Salcedo St., Calliope St.

**Zoning District:** C-3 Heavy Commercial District

Historic District:N/APlanning District: 4Existing Use:WarehouseSquare Number: 646Proposed Use:WarehouseLot Number: A1

Project Planner: Haley Delery (<a href="mailto:hdelery@nola.gov">hdelery@nola.gov</a>) (Proposed)

**Request:** This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2), in conjunction with Subdivision Docket 103-19, to permit the creation of a lot with insufficient permeable open space and interior side yard setback.

#### **Requested Waivers:**

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

Required: 20% Provided: 5% Waiver: 15%

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

Required: 10 ft Provided: 8.5 ft Waiver: 1.5 ft

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ITEM 8 – Docket Number 021-20

**Applicant or Agent:** Private Connection Property, Inc., William W. Alden

**Property Location:** 4307 Calliope Street **Zip:** 70125

**Bounding Streets:** S. Lopez St., Euphrosine St., S. Salcedo St., Calliope St.

**Zoning District:** C-3 Heavy Commercial District

Historic District: N/A Planning District: 4

Existing Use: Warehouse Square Number: 646

Proposed Use: Warehouse Lot Number: A2

Project Planner: Haley Delery (hdelery@nola.gov) (Proposed)

**Request:** This request is for a variance from the provisions of Article 15, Section 15.3.A.1 (Table 15-2), in conjunction with Subdivision Docket 103-19, to permit the creation of a lot with insufficient interior side yard setback.

## **Requested Waiver:**

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

Required: 10 ft Proposed: 8.4 ft Waiver: 1.6 ft



ITEM 9 - Docket Number: 022-20

**Applicant or Agent:** 1315 Gravier Owner, LLC, Cullan Maumus

**Property Location:** 1315 Gravier Street **Zip:** 70112

**Bounding Streets:** Gravier St., S. Liberty St., Tulane Ave., Saratoga St.

**Zoning District:** CBD-7 Bio-Science District

Historic DistrictLower Central Business DistrictPlanning District: 1Existing Use:HotelSquare Number: 334Proposed Use:Mixed-Use (Multi-Family & Commercial)Lot Numbers: 1-7 & X

**Project Planner:** Joseph Colón (jacolon@nola.gov)

**Request:** This request is for a variance from the provisions of Article 17, Section 17.4.B of the Comprehensive Zoning Ordinance to permit a mixed-use multi-family and commercial facility with insufficient on-site open space.

#### **Requested Waiver:**

Article 11, Section 17.4.B – On-site Open Space

Required 18,480 ft<sup>2</sup> Provided: 4,171 ft<sup>2</sup> Waiver: 14,309 ft<sup>2</sup>

ITEM 10 – Docket Number: 023-20

Applicant or Agent: Jason Hernandez, Amberly Williams Chamberlain, C. Franklin Chamberlain

**Property Location:** 218 N. St. Patrick Street **Zip:** 70115

**Bounding Streets:** N. St. Patrick St., Iberville St., N. Olympia St., Bienville St. **Zoning District:** HU-RD2 Historic Urban Two-Family Residential District

Historic District:Mid-CityPlanning District: 4Existing Use:Single-Family ResidenceSquare Number: 599Proposed Use:Single Family ResidenceLot Number: 11-B,Project Planner:Sabine Lebailleux (selebailleux@nola.gov)Proposed Lot 11-C

**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, in conjunction with Subdivision Docket 095-18, to permit the creation of a lot with insufficient off-street parking.

#### **Requested Waiver:**

Article 22, Section 22.4.A - Off-Street Vehicle Parking

Required: 1 space Provided: 0 spaces Waiver: 1 space



ITEM 11 - Docket Number: 024-20

Applicant or Agent: Jason Hernandez, Amberly Williams Chamberlain, C. Franklin Chamberlain

**Property Location:** 218 N. St. Patrick Street **Zip:** 70115

**Bounding Streets:** N. St. Patrick St., Iberville St., N. Olympia St., Bienville St. **Zoning District:** HU-RD2 Historic Urban Two-Family Residential District

Historic DistrictMid-CityPlanning District: 4Existing Use:Multi-Family ResidenceSquare Number: 599Proposed Use:Multi-Family ResidenceLot Number: 12-B

Project Planner: Sabine Lebailleux (selebailleux@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, in conjunction with Subdivision Docket 095-18, to permit the creation of a lot resulting in an accessory structure with insufficient rear yard setback.

#### **Requested Waiver:**

Article 21, Section 21.6.A.7 – Accessory Structure Location

Required: 3 ft Provided: 1.45 ft Waiver: 1.55 ft



ITEM 12 - Docket Number: 025-20

**Applicant or Agent:** 264 Elmira Ave, LLC, Lars Jensen, Lara Jensen

**Property Location:** 264 Elmira Avenue **Zip:** 70114

**Bounding Streets:** Elmira St., Delaronde St., Pacific Ave., Pelican Ave. **Zoning District:** HU-RD2 Historic Urban Two-Family Residential District

Historic District:Algiers PointPlanning District: 12Existing Use:VacantSquare Number: 42Proposed Use:Single-Family ResidenceLot Number: 14

Project Planner: Aspen Nero (asnero@nola.gov)

**Request:** This request is for a variance from the provisions of Article 22, Section 22.11.D.3 of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with a parking pad with insufficient distance from a lot line.

## **Requested Waiver:**

Article 22, Section 22.11.D.3 – Parking Pad Location

Required: 3 ft Provided: 1.3 ft Waiver: 1.7 ft

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

ITEM 13 - Docket Number: 007-20

**Applicant or Agent:** Caitlin Morgenstern

Property Location:1511 Touro SteetZip: 70116Bounding Streets:Touro St., N. Claiborne Ave., N. Robertson St., Frenchmen St.Zoning District:HMC-2 Historic Marigny/Tremé/Bywater Commercial District

Historic District:N/APlanning District: 4Existing Use:Vacant BuildingSquare Number: 638Proposed Use:Community CenterLot Number: 2 or 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 of September 26, 2019, that the proposed program would be classified as a community center.

## E. Adjournment