



**City of New Orleans**  
Mayor LaToya Cantrell

# Board of Zoning Adjustments

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**Final Agenda**

**October 18, 2021**

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## MEETING INFORMATION

### LOCATION

Livestream at:  
[http://cityofno.granicus.com/viewPublisher.php?view\\_id=2](http://cityofno.granicus.com/viewPublisher.php?view_id=2)

### TIME

10:00 a.m.

### BOARD MEMBERS

Candice M. Forest – Chair  
Todd C. James – Vice Chair  
Tamara Agins  
José Alvarez  
Jaime Ramiro Diaz  
Alfonso Gonzalez II  
Matthew Rufo

The general public cannot speak with the members personally.

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The Board of Zoning Adjustments hereby certifies that it will convene a meeting on October 18 electronically via Zoom in accordance with the provisions of La. R.S. 42:17.1(A)(2)(a)-(d).  
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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 **October 28, 2021**.

### **General Rules of Order**

Robert’s Rules of Order govern the conduct of the meeting. In lieu of spoken public comment, any member of the public may provide written comment via a digital speaker card not to exceed two (2) minutes on any matter before the Board. The digital speaker card will be made available at the start of the meeting and will close at the end of the recess. If you wish to appear before the Board, please fill out a digital speaker card at the following link:

<https://forms.gle/Ukt6FdhHvks2Me698>

A moderator will read into the record all comments pertaining to that item that have been submitted in accordance with these rules. Comments will be read aloud in a normal speaking voice. The moderator will discontinue reading a comment once it exceeds two (2) minutes.

**A. Call to Order, Roll Call, Adoption of Minutes, Communications, and Reading of Hearing Rules**

**Special Public Hearing Rules for Board of Zoning Adjustments Hearings held via Video Conference**

- A. **Order of Business.** The order of business at the hearing shall be as follows:
- a. Call to order and roll call, with recording of members present.
  - b. Approval of Minutes
  - c. Reading and Adoption of the Hearing Rules
  - d. Presentation of Dockets.
    - i. Staff Presentation
    - ii. Applicant Presentation
    - iii. Questions from Members
  - e. Recess for 30 minutes
  - f. Consideration of Dockets
    - i. Public Comment
    - ii. Rebuttal by Applicant
    - iii. Questions from Members
    - iv. Voting
  - g. Adjournment
- B. **Presentation of Dockets.** The order of business for each docket shall be as follows:
- a. **Presentation by the City Planning Commission staff or the Department of Safety and Permits staff;**
  - b. **Presentation by the Applicant or their representative;** The appellant or applicant may appear on their behalf or be represented by a duly authorized agent. Only one representative may speak on behalf of a request and must pre-register with the staff of the City Planning Commission. Other representatives or speakers may sign up to provide comments during the public comment portion of the meeting. The applicant shall be allowed a maximum of five (5) minutes.
  - c. **Questions from Members.** The members have an opportunity to ask questions of the staff or applicant.
- C. **Recess.** The Board shall take a 30-minute recess to allow members of the public to submit comments.
- D. **Public Comment.**
- a. **Rules.** Only written public comment will be allowed. Live public comment will not be allowed. No member of the public may submit more than one written comment per agenda item.
  - b. **Time allowed for public comment.** The public comment form will be made available at the start of the meeting and will close at the end of the 30-minute recess.
  - c. **Form.** Public comments must be submitted electronically on the form provided by the City Planning Commission. Any comment missing this information will not be read aloud. Each submission must contain:
    - i. The commenter's first and last name,
    - ii. The commenter's address,
    - iii. Whether the commenter is being paid in connection with his or her comments,
    - iv. The agenda item
  - d. **Reading of Public Comments.** A moderator will read into the record all comments pertaining to that item that have been submitted in accordance with these rules.

Comments will be read aloud in a normal speaking voice. The moderator will discontinue reading a comment once it exceeds two (2) minutes.

- E. **Rebuttal by Applicant.** Following the public comment period, if there is opposition the authorized representative of the application is allowed a rebuttal not to exceed five (5) minutes.
- F. **Questions from Members.** Following the public comment and rebuttal, the members have an opportunity to ask questions of the staff or applicant.
- G. **Voting.**
  - a. **Making a motion.** The member making a motion shall clearly state their name when making a motion. For example, “I, (insert name), move to approve/deny/ the request.”
  - b. **Seconding a motion.** The member seconding a motion shall clearly state their name when seconding the motion. For example, “I, (insert name), second the motion made by (other member).”
  - c. **Statement by Chair.** The chair will restate the motion, confirming who made and seconded the motion.
  - d. **Voting.** The chair will request a verbal vote from each member by roll call. Each member will indicate “Yea” to vote in support of the motion, or “Nay” to vote in opposition.

**B. Unfinished Business – Variances (Deferred from the September 20 Cancelled Meeting)**

**Item 1 – Docket Number: 055-21**

<b>Applicant or Agent:</b>	Christopher J. Haydel, Charles Neyrey	
<b>Property Location:</b>	905 Moss Street	<b>Zip:</b> 70119
<b>Bounding Streets:</b>	N. Norman C. Francis Pkwy or Moss St., Dumaine St., Harding Dr., St. John Ct.	
<b>Zoning District:</b>	HU-RD1 Historic Urban Two-Family Residential District	
<b>Historic District:</b>	Parkview	<b>Planning District:</b> 5
<b>Existing Use:</b>	Vacant Lot	<b>Square Number:</b> 469
<b>Proposed Use:</b>	Two-Family Residence	<b>Lot Number:</b> 1-A
<b>Project Planner:</b>	Emily Ramírez Hernández ( <a href="mailto:erhernandez@nola.gov">erhernandez@nola.gov</a> )	

**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 excessive building height.

**Requested Waiver:**

**Article 11, Section 11.3.A.1 (Table 11-2A) – Building Height**

Permitted: 35 ft	Proposed: 36 ft	Waiver: 1 ft
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**C. Unfinished Business – Director of Safety and Permits Decision Appeals (Deferred from the September 20 Cancelled Meeting)**

**Item 2 – Docket Number: 067-21**

**Applicant or Agent:** Yakir Katz, Webre Consulting  
**Property Location:** 2612 Esplanade Avenue **Zip:** 70119  
**Bounding Streets:** Esplanade Ave., N. Broad St., Orchid St., Crete St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Esplanade Ridge **Planning District:** 4  
**Existing Use:** Subject of Appeal **Square Number:** 349  
**Proposed Use:** Office **Lot Number:** D

**Request:** This is an appeal of the 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 attained legal non-conforming status for an office use.

**D. New Business – Variances (Deferred from the September 20 Cancelled Meeting)**

**Item 3 – Docket Number: 068-21**

**Applicant or Agent:** Joshua M. Wainer, Joellie, LLC  
**Property Location:** 403 Adams Street **Zip:** 70118  
**Bounding Streets:** Adams St., Dominican St., Hillary St., Pearl St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Carrollton **Planning District:** 3  
**Existing Use:** Vacant Lot **Square Number:** 56  
**Proposed Use:** Single-Family Residence **Lot Number:** 9  
**Project Planner:** Sabine Lebailleur ([selebailleur@nola.gov](mailto:selebailleur@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.A.2, and Article 22, Section 22.8.C.4 of the Comprehensive Zoning Ordinance to permit the construction of single-family residence with excessive front yard build-to-line and insufficient parking pad depth.

**Requested Waivers:**

<b>Article 11, Section 11.3.A.1 (Table 11-2A) – Front Yard</b>		
Permitted: 3 ft maximum	Proposed: 10 ft	Waiver: 7 ft
<b>Article 11, Section 11.3.A.2 – Front Yard Build-To Line</b>		
Permitted: 3 ft maximum	Proposed: 10 ft	Waiver: 7 ft
<b>Article 22, Section 22.8.D (Figure 22-2) – Off-Street Parking Dimensions</b>		
Required: 18 ft	Proposed: 16.88 ft	Waiver: 1.12 ft





**E. New Business – Extension Request (Deferred from the September 20 Cancelled Meeting)**

**Item 6 – Docket Number 061-19**

<b>Applicant or Agent:</b>	Gwendolyn A. Bordenave	
<b>Property Location:</b>	301-03 S. Alexander Street	<b>Zip:</b> 70119
<b>Bounding Streets:</b>	S. Alexander St., Banks St., S. Murat St., Palmyra St.	
<b>Zoning District:</b>	HU-RD2 Historic Urban Two-Family Residential District	
<b>Historic District:</b>	Mid-City	<b>Planning District:</b> 4
<b>Existing Use:</b>	Vacant Lot	<b>Square Number:</b> 804
<b>Proposed Use:</b>	Two-Family Residence	<b>Lot Number:</b> 25
<b>Project Planner:</b>	Rachael Berg ( <a href="mailto:rberg@nola.gov">rberg@nola.gov</a> )	

**Request:** This request is for an extension of time for a previously granted variance, pursuant to Article 4, Section 4.6.G.2 of the Comprehensive Zoning Ordinance, to allow a one-year extension.



**F. New Business – Variances****Item 7 – Docket Number 071-21**

**Applicant or Agent:** M & O Realty Inc., CIS Architects  
**Property Location:** 129 Robert E. Lee Boulevard **Zip:** 70124  
**Bounding Streets:** Robert E. Lee Blvd., Sapphire St.  
**Zoning District:** S-LC Suburban Lake Area General Commercial District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Vacant Lot **Square Number:** 1  
**Proposed Use:** Commercial (Standard Restaurant/Office) **Lot Number:** Lot B-2A  
**Project Planner:** Joseph Colón ([jacolon@nola.gov](mailto:jacolon@nola.gov))

**Request:** This request is for variances from the provisions of Article 14, Section 14.3.A.1 (Table 14-2), Article 22, Section 22.7 (Table 22- 3), and Article 24, 24.11.F of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 082-21, to permit the construction of a commercial development (standard restaurant/office) with insufficient lot area, insufficient lot width, insufficient permeable open space, insufficient front yard setback, insufficient interior side yard setbacks, insufficient aggregate of side yards, insufficient rear yard setback, insufficient off street parking, and excessive wall signage.

**Requested Waivers:****Article 14, Section 14.3.A.1 (Table 14-2) – Minimum Lot Area**

Required: 20,000 ft <sup>2</sup>	Proposed: 11,250 ft <sup>2</sup>	Waiver: 8,750 ft <sup>2</sup>
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**Article 14, Section 14.3.A.1 (Table 14-2) – Minimum Lot Width**

Required: 100 ft	Proposed: 75 ft	Waiver: 25 ft
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**Article 14, Section 14.3.A.1 (Table 14-2) – Permeable Open Space**

Required: 20% (2,250 ft <sup>2</sup> )	Proposed: 0% (0 ft <sup>2</sup> )	Waiver: 20% (2,250 ft <sup>2</sup> )
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**Article 14, Section 14.3.A.1 (Table 14-2) – Front Yard Setback**

Required: 20 ft	Proposed: 0 ft	Waiver: 20 ft
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**Article 14, Section 14.3.A.1 (Table 14-2) – Interior Side Yard Setback (Robert E. Lee Side)**

Required: 10 ft	Proposed: 0 ft	Waiver: 10 ft
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**Article 14, Section 14.3.A.1 (Table 14-2) – Interior Side Yard Setback (West End Side)**

Required: 10 ft	Proposed: 0 ft	Waiver: 10 ft
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**Article 14, Section 14.3.A.1 (Table 14-2) – Aggregate of Side Yards**

Required: 15 ft	Proposed: 0 ft	Waiver: 15 ft
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**Article 14, Section 14.3.A.1 (Table 14-2) – Rear Yard Setback**

Required: 20 ft	Proposed: 0 ft	Waiver: 20 ft
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**Article 22, Section 22.7 (Table 22- 3)– Required Off Street Loading Spaces**

Required: 1 space	Proposed: 0 spaces	Waiver 1 space
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**Article 24, 24.11.F – Wall Sign**

Permitted: 75 ft <sup>2</sup>	Proposed: 150 ft <sup>2</sup>	Waiver 75 ft <sup>2</sup>
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**Item 8 – Docket Number 072-21**

**Applicant or Agent:** Aron and Alexis Culotta  
**Property Location:** 2500 Robert Street **Zip:** 70115  
**Bounding Streets:** Robert St., Magnolia St., Soniat St., Clara St.  
**Zoning District:** HU-RD2 Historic Urban Two-Family Residential District  
**Historic District:** Uptown **Planning District:** 3  
**Existing Use:** Single-Family Residence **Square Number:** 645  
**Proposed Use:** Single-Family Residence **Lot Number:** A  
**Project Planner:** Valerie Goines ([valerie.goines@nola.gov](mailto:valerie.goines@nola.gov))

**Request:** This request is for a variance from the provisions Article 21, Section 21.6.T.1 of the Comprehensive Zoning Ordinance to permit mechanical equipment in the front yard.

**Requested Waiver:**

**Article 21, Section 21.6.T.1 – Mechanical Equipment**

Required: No mechanical equipment located in the front yard

Proposed: Mechanical equipment located in the front yard

Waiver: Mechanical equipment located in the front yard



**Item 9 – Docket Number 073-21**

**Applicant or Agent:** 3030 Canal Street LLC  
**Property Location:** 3026 Canal Street **Zip:** 70119  
**Bounding Streets:** S. Gayoso St., Cleveland Ave., S. Salcedo St., Canal St.  
**Zoning District:** HU-MU Historic Urban Neighborhood Mixed-Use District  
**Historic District:** Mid-City **Planning District:** 4  
**Existing Use:** Vacant Building **Square Number:** 632  
**Proposed Use:** Educational Facility, Secondary **Lot Number:** G-6, R-8, 11, 12,  
**Project Planner:** Robin Jones ([rcjones@nola.gov](mailto:rcjones@nola.gov)) 15, 16, 24

**Request:** This request is for variances from the provisions of Article 22, Section 22.4.A (Table 22-1) and Article 23, Section 23.8 of the Comprehensive Zoning Ordinance to permit the expansion of a secondary educational facility, resulting in insufficient off-street parking and insufficient buffer yard.

**Requested Waivers:**

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

Required: 65 spaces                      Proposed: 22 spaces                      Waiver: 43 spaces

**Article 23, Section 23.8 – Buffer Yards**

Required: 10 ft                              Proposed: 0 ft                              Waiver: 10 ft

**G. Adjournment**