



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Final Agenda

January 10, 2022

MEETING INFORMATION

LOCATION

Livestream at:
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 is not permitted to speak with the members personally.

SUBSCRIBE TO OUR EMAILS

nola.gov/city-planning/subscribe

.....
The Board of Zoning Adjustments hereby certifies that it will convene a meeting on January 10, 2022 electronically via Zoom in accordance with the provisions of La. R.S. 42:17.1(A)(2)(a)-(d).
.....

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 shall be produced by **January 20, 2022**.

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/qrsGtyVueYMdTeDV6>

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

Item 1 – Docket Number: 074-21

WITHDRAWN

Applicant or Agent:	Prentiss K. Deshautreaux, Inman Architecture	
Property Location:	754 Topaz Street	Zip: 70124
Bounding Streets:	Topaz St., General Haig St., Crystal St., Sardonyx St.	
Zoning District:	S-LRS2 Suburban Lake Vista and Lake Shore Single-Family Residential District	
Historic District:	N/A	Planning District: 5
Existing Use:	Single-Family Residence	Square Number: 27
Proposed Use:	Single-Family Residence	Lot Number: 6
Project Planner:	Robin Jones (rcjones@nola.gov)	

Request: This request is for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance to permit an addition to a single-family residence resulting in insufficient rear yard setback.

Requested Waiver:

Article 13, Section 13.3.A.1 (Table 13-2) – Rear Yard

Required: 17 ft, 7.25 in.	Proposed: 15 ft, 4.75 in.	Waiver: 2 ft, 2.5 in.
---------------------------	---------------------------	-----------------------



Item 2 – Docket Number: 078-21

Applicant or Agent: Sentino Early Childhood Academy Too LLC, Spectrum Design
Property Location: 10100 Morrison Road **Zip:** 70127
Bounding Streets: Morrison Rd., Restgate Rd., Flossmoor Dr., Read Blvd.
Zoning District: S-B1 Suburban Business District
Historic District: N/A **Planning District:** 9
Existing Use: Vacant Lot **Square Number:** Sec 24
Proposed Use: Day Care Center, Adult or Child - Small **Lot Number:** X
Project Planner: Aspen Nero (asnero@nola.gov)

Request: This request is for variances from the provisions of Article 14, Section 14.3.A.1 (Table 14-2), Article 14, Section 14.3.A.2, Article 14, Section 14.3.B.1, and Article 18, Section 18.16.B.3 of the Comprehensive Zoning Ordinance to permit the construction of a daycare with excessive front yard setback, a primary entrance not oriented to the street, insufficient ground floor transparency on the primary street, insufficient ceiling height, and parking as a dominant visual element.

Requested Waivers:

Article 14, Section 14.3.A.1 (Table 14-2) – Front Yard Setback

Permitted: 20 +/- 3 ft Proposed: 132 ft, 8 in Waiver: 110 ft, 8 in

Article 14, Section 14.3.A.2 – Front Yard Setback

Permitted: 20 +/- 3 ft Proposed: 132 ft, 8 in Waiver: 110 ft, 8 in

Article 14, Section 14.3.B.1.a – Building Design Standards (Building Entrance)

Required: Primary entrance oriented to the street
 Provided: Primary entrance not oriented to the street
 Waiver: Primary entrance not oriented to the street

Article 14, Section 14.3.B.1.b – Building Design Standards (Ground Floor Transparency)

Required: 50% Proposed: 0% Waiver: 50%

Article 14, Section 14.3.B.1.c – Building Design Standards (Ceiling Height)

Required: 12 ft Proposed: 7 ft, 11 in Waiver: 4 ft, 1 in

Article 18, Section 18.16.B.3 – Design Requirements

Required: Parking not dominant visual element
 Provided: Parking dominant visual element
 Waiver: Parking dominant visual element



D. New Business – Variances**Item 5 – Docket Number: 001-22**

Applicant or Agent: LA Property Team LLC, Amy Scandaliato
Property Location: 4951-4975 Marque Drive **Zip:** 70127
Bounding Streets: Longfellow Dr., Dwyer Rd., Hickerson Dr., Hammond St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 9
Existing Use: Vacant Lot **Square Number:** Section 10, T-12-S, R-12,
Proposed Use: Single-Family Residence E, Dona Villa Subdivision Extension
Project Planner: Rachael Berg (rberg@nola.gov) **Lot Number:** F-1-A-1 (Proposed)

Request: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 073-21, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:**Article 13, Section 13.3.A.1 (Table 13-2) – Lot Area**

Required: 6,000 ft ²	Provided: 5,792.19 ft ²	Waiver: 207 ft ²
---------------------------------	------------------------------------	-----------------------------

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

Required: 100 ft	Provided: 94.76 ft	Waiver: 5.24 ft
------------------	--------------------	-----------------

**Item 6 – Docket Number: 002-22**

Applicant or Agent: LA Property Team LLC, Amy Scandaliato
Property Location: 4951-4975 Marque Drive **Zip:** 70127
Bounding Streets: Longfellow Dr., Dwyer Rd., Hickerson Dr., Hammond St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 9
Existing Use: Vacant Lot **Square Number:** Section 10, T-12-S, R-12
Proposed Use: Single-Family Residence E, Dona Villa Subdivision Extension
Project Planner: Rachael Berg (rberg@nola.gov) **Lot Number:** Lot F-1-A-2 (Proposed)

Request: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 073-21, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:**Article 13, Section 13.3.A.1 (Table 13-2) – Lot Area**

Required: 6,000 ft ²	Provided: 5,792.19 ft ²	Waiver: 207.81 ft ²
---------------------------------	------------------------------------	--------------------------------

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

Required: 100 ft	Provided: 94.65 ft	Waiver: 5.35 ft
------------------	--------------------	-----------------



Item 7 – Docket Number: 003-22

Applicant or Agent: M & O Realty Inc., Sherman Strategies
Property Location: 115-129 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: Mixed-Use **Square Number:** 1
Proposed Use: Mixed-Use **Lot Number:** B-2B (Proposed)
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for variances from the provisions of Article 14, Section 14.3.A.1 (Table 14-2) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 082-21, to permit the creation of a lot with insufficient lot area, insufficient lot width, insufficient permeable open space, insufficient interior side yard setback, and insufficient aggregate of side yards for a shopping center.

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

Required: 20,000 ft ²	Provided: 17,734.5 ft ²	Waiver: 2,265.5 ft ²
----------------------------------	------------------------------------	---------------------------------

Article 14, Section 14.3.A.1 (Table 14-2) – Lot Width

Required: 100 ft	Provided: 77.33 ft	Waiver: 22.67 ft
------------------	--------------------	------------------

Article 14, Section 14.3.A.1 (Table 14-2) – Permeable Open Space

Required: 20% (3,546.9 ft ²)	Provided: 0% (0 ft ²)	Waiver: 20% (3,546.9 ft ²)
--	-----------------------------------	--

Article 14, Section 14.3.A.1 (Table 14-2) – Interior Side Yard (Robert E. Lee Blvd. side)

Required: 10 ft	Provided: 0 ft	Waiver: 10 ft
-----------------	----------------	---------------

Article 14, Section 14.3.A.1 (Table 14-2) – Interior Side Yard (West End St. side)

Required: 10 ft	Provided: 0 ft	Waiver: 10 ft
-----------------	----------------	---------------

Article 14, Section 14.3.A.1 (Table 14-2) – Aggregate of Side Yards

Required: 20 ft	Provided: 0 ft	Waiver: 20 ft
-----------------	----------------	---------------

E. Adjournment