



City of New Orleans

Board of Zoning Adjustments

Final Agenda

Monday, November 7, 2022

10:00 am

Orleans Parish School Board Building

2401 Westbend Pkwy., Suite 1050, New Orleans, LA 70114

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 Board of Zoning Adjustments, in accordance with Article 4 of the Comprehensive Zoning Ordinance of the City of New Orleans, will hold a public hearing on the following items:

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

B. Unfinished Business – Variances

Item 1 – Docket Number: BZA058-22

Property Location: 4040 Canal Street

Zoning District: C-2 Auto-Oriented Commercial District

Overlay District: EC Enhancement Corridor Design Overlay District, HUC Historic Urban Corridor Use Restriction Overlay District, Small Multi-Family Affordable Short Term Rental Interim Zoning District

Historic District: Canal Street

Existing Use: Vacant Lot

Proposed Use: Mixed-Use

Applicant or Agent: CSC Investments LLC, Vincent Marcello

Project Planner: Bria Dixon (bria.dixon@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 mixed-use development with insufficient corner side yard setback.

Requested Waiver:

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

Required: 7 ft

Proposed: 0 ft

Waiver: 3 ft

Item 2 – Docket Number: BZA066-22

Property Location: 1515 St. Ferdinand Street

Bounding Streets: St. Ferdinand St., N. Claiborne Ave., Press St., N. Robertson St.

Zoning District: LI Light Industrial District

Existing Use: Artisan Manufacturing

Proposed Use: Artisan Manufacturing

Applicant or Agent: 2801 N Robertson Street LLC, James Michalopoulos, Douglas Mayo

Project Planner: Brennan Walters (brennan.walters@nola.gov)

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 artisan manufacturing with insufficient off-street parking.

Requested Waiver:

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

Required: 4 spaces

Proposed: 0 spaces

Waiver: 4 spaces

Item 3 – Docket Number: BZA074-22

Property Location: 7319 Downman Road

Bounding Streets: Downman Rd., Curran Rd., Alabama St., Morrison Rd.

Zoning District: S-B1 Suburban Business District ENORC, CT Corridor Transformation Overlay District, and Small Multi-Family Affordable Short Term Rental Interim Zoning District

Existing Use: Vacant Lot

Proposed Use: Restaurant, Carry-Out

Applicant or Agent: Tha Smoke Booth LLC, Nadedge Booth

Project Planner: Emily Ramírez Hernández (erhernandez@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.a, Article 14, Section 14.3.B.1.b, Article 14, Section 14.3.B.1.c, Article 18, Section 18.16.B, Article 22, Section 22.8.C, and Article 23, Section 23.8 of the Comprehensive Zoning Ordinance to permit a carry-out restaurant with insufficient lot area, insufficient lot depth, excessive front yard setback and front build-to line, the primary entrance not oriented to the street, insufficient ground floor transparency, insufficient first floor ceiling height, a parking area designed as the dominant visual element of the site and so that the driver of the vehicle backs out into traffic rather than proceeds forward, and no buffer yard.

Requested Waivers:

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

Required: 10,000 ft² Proposed: 5,880 ft² Waiver: 4,120 ft²

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

Required: 100 ft Proposed: 98 ft Waiver: 2 ft

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

Permitted: 20 ft Proposed: 27.687 ft Waiver: 7.687 ft

Article 14, Section 14.3.A.2 – Front Build-to Line

Permitted: 20 ft Proposed: 27.687 ft Waiver: 7.687 ft

Article 14, Section 14.3.B.1.a – Building Orientation

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

Article 14, Section 14.3.B.1.b – Ground Floor Transparency

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

Article 14, Section 14.3.B.1.c – First Floor Ceiling Height

Required: 12 ft Proposed: 7 ft, 9 in Waiver: 4 ft, 3 in

Article 18, Section 18.16.B – Additional Design Review Approval Standards

Required: Parking not the dominant visual element
 Proposed: Parking the dominant visual element
 Waiver: Parking the dominant visual element

Article 22, Section 22.8.C – Access Requirements for Off-Street Vehicle Parking Areas

Required: Proceeds forward Proposed: Backs out Waiver: Backs out

Article 23, Section 23.8 – Buffer Yards

Required: Buffer yard Proposed: No buffer yard Waiver: No buffer yard

C. Unfinished Business – Any Other Matters

Item 4 – Consideration | Adoption of the 2023 Board of Zoning Adjustments Meeting Schedule

Annually at the Board’s regularly scheduled November or December meeting, the Board shall adopt a docketing schedule for the following year for all items requiring public hearing and action by the Board. This schedule shall establish docket deadlines, deadlines for submittal of written documents related to an item before the Board, deadlines for distribution of staff reports to the Board and to the public, public hearing dates, and resolution deadlines. A copy of this schedule shall be posted on the City Planning Commission’s web site.

[BZA Rules](#) | [Contact BZA Staff](#)

D. New Business – Variances

Item 5 – Docket Number: BZA076-22

Property Location: 3629 Franklin Avenue

Bounding Streets: Franklin Ave., Acacia St., Lotus St., Myrtle St.

Zoning District: HU-RD1 Historic Urban Two-Family Residential District

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Cleavon Williams

Project Planner: Laura Bryan (lbbryan@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, in conjunction with Subdivision Docket 049-22, to permit the creation of a lot with insufficient lot width.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Width

Required: 30 ft

Proposed: 27 ft

Waiver: 3 ft

Item 6 – Docket Number: BZA077-22

Property Location: 5823-27 E. Deer Park Boulevard (Proposed Lot 6A)

Bounding Streets: E. Deer Park Blvd., Deer Trail, Farrar Canal, Lake Forest Blvd.

Zoning District: S-RD Suburban Two-Family Residential District

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Avant Garde LLC, Zach Smith Consulting and Design

Project Planner: Brennan Walters (brennan.walters@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, in conjunction with Subdivision Docket 089-22, to permit the creation of a lot with insufficient lot width.

Requested Waiver:

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

Required: 40 ft

Proposed: 38 ft

Waiver: 2 ft

Item 7 – Docket Number: BZA078-22

Property Location: 5871-75 E. Deer Park Boulevard (Proposed Lot 18A)

Bounding Streets: E. Deer Park Blvd., Deer Trail, Farrar Canal, Lake Forest Blvd.

Zoning District: S-RD Suburban Two-Family Residential District

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Avant Garde LLC, Zach Smith Consulting and Design

Project Planner: Brennan Walters (brennan.walters@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, in conjunction with Subdivision Docket 091-22, to permit the creation of a lot with insufficient lot width.

Requested Waiver:

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

Required: 40 ft

Proposed: 38 ft

Waiver: 2 ft

Item 8 – Docket Number: BZA079-22

Property Location: 5887-91 E. Deer Park Boulevard (Proposed Lot 22A)

Bounding Streets: E. Deer Park Blvd., Deer Trail, Farrar Canal, Lake Forest Blvd.

Zoning District: S-RD Suburban Two-Family Residential District

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Avant Garde LLC, Zach Smith Consulting and Design

Project Planner: Brennan Walters (brennan.walters@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, in conjunction with Subdivision Docket 090-22, to permit the creation of a lot with insufficient lot width.

Requested Waiver:

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

Required: 40 ft

Proposed: 38 ft

Waiver: 2 ft

Item 9 – Docket Number: BZA080-22

Property Location: 332 Baronne Street

Bounding Streets: Baronne St., Union St., Carondelet St., Perdido St.

Zoning District: CBD-1 Core Central Business District

Existing Use: Vacant Building

Proposed Use: Hotel/Motel

Applicant or Agent: Baronne Union Development LLC

Project Planner: Cameron Boissiere (cameron.boissiere@nola.gov)

Request: This request is for a variance from the provisions of Article 17, Section 17.3.B.1 of the Comprehensive Zoning Ordinance to permit the construction of a hotel with frontage along a multi-modal/pedestrian corridor with insufficient minimum ground floor area allocated for approved uses.

Requested Waiver:

Article 17, Section 17.3.B.1 – Required Uses for Ground Floors of Structures with Frontage on Multi-Modal/Pedestrian Corridors

Required: 25%

Proposed: 14.9%

Waiver: 10.1%

Item 10 – Docket Number: BZA081-22

Property Location: 9317 Airline Highway

Bounding Streets: Airline Hwy., Live Oak St., Edinburgh St.

Zoning District: C-1 General Commercial District

Existing Use: Wireless Telecommunications Tower & Facility

Proposed Use: Wireless Telecommunications Tower & Facility

Applicant or Agent: Eric Adams-Branch Communications, Emile Virgadamo

Project Planner: Bria Dixon (bria.dixon@nola.gov)

Request: This request is for variance from the provisions Article 20, Section 20.3.JJJ.4 (Table 20-4) of the Comprehensive Zoning Ordinance to permit a wireless telecommunications tower with excessive height.

Requested Waiver:

Article 20, Section 20.3.JJJ.4 (Table 20-4) – Wireless Telecommunications Antenna, Facility, and Tower (Maximum Height)

Permitted: 65 ft

Proposed: 100 ft

Waiver: 35 ft

Item 11 – Docket Number: BZA082-22

Property Location: 5320 N. Claiborne Avenue

Bounding Streets: N. Claiborne Ave., Andry St., N. Robertson St., Egania St.

Zoning District: HU-RD2 Historic Urban Two-Family Residential District

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Deborah Marks

Project Planner: Ava Monnet (ava.monnet@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 104-22, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Area

Required: 2,250 ft ²	Provided: 1,945.97 ft ²	Waiver: 304.03 ft ²
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Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Depth

Required: 90 ft	Provided: 43.195 ft	Waiver: 46.805 ft
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Item 12 – Docket Number: BZA083-22

Property Location: 5324 N. Claiborne Avenue

Bounding Streets: N. Claiborne Ave., Andry St., N. Robertson St., Egania St.

Zoning District: HU-RD2 Historic Urban Two-Family Residential District

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Deborah Marks

Project Planner: Ava Monnet (ava.monnet@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 104-22, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Area

Required: 2,250 ft ²	Provided: 1,945.98 ft ²	Waiver: 304.02 ft ²
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Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Depth

Required: 90 ft	Provided: 43.205 ft	Waiver: 46.795 ft
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E. New Business – Director of Safety and Permits Decision Appeals

Item 13 – Docket Number: BZA084-22 (MOOT)

Property Location: 1615 Pine Street

Bounding Streets: Pine St., Green St., Broadway St., Birch St.

Zoning District: HU-RD1 Historic Urban Two-Family Residential District

Historic District: Uptown

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Debra Lombard

Project Planner: N/A (CPCinfo@nola.gov)

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 issuance of permit no. 20-290099-RNVS **(MOOT)**.

Item 14 – Docket Number: BZA085-22

Property Location: 1615 Pine Street

Bounding Streets: Pine St., Green St., Broadway St., Birch St.

Zoning District: HU-RD1 Historic Urban Two-Family Residential District

Historic District: Uptown

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Debra F. Howell

Project Planner: N/A (CPCinfo@nola.gov)

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 issuance of permit no. 20-290099-RNVS **(MOOT)**.

F. Adjournment

Staff Reports

Staff reports and meeting materials are available for review on the [Granicus website](#).

Meeting Information

Board Members

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

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.

Public Comment

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 provided at the meeting, prior to the Board taking up the matter of interest, 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.

- **Variations:** Comments by the public in support or in opposition shall be limited to a maximum of two (2) minutes.
- **Decision Appeals:** Comments by the public in support or in opposition shall be limited to a maximum of three (3) minutes.

Meeting Video

- Livestream: http://cityofno.granicus.com/ViewPublisher.php?view_id=2
- Live Television Broadcast: Cox Cable Channel 6 in Orleans Parish

Decisions of the Board

The decision made by the Board will be provided in the form of a resolution. The resolution shall be produced by November 17, 2022, and will be available online at onestopapp.nola.gov.

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.

City Planning Commission, City of New Orleans

Robert D. Rivers, Executive Director

<https://nola.gov/cpc>

1300 Perdido Street, 7th Floor

New Orleans, LA 70112

CPCinfo@nola.gov

(504) 658-7033

This meeting is accessible to people with disabilities. Should you need further assistance, please contact the Front Desk in the Main Lobby or the ADA Administrator, (504)658-4020 (voice), 711 LA Relay Service, or e-mail emhurst@nola.gov. Please be advised there is a courtesy telephone available for 711 calls for persons with hearing or speech impairments at the welcome desk of City Hall, First Floor, Main Lobby. This communiqué is available in alternative formats upon request.