



City of New Orleans

Board of Zoning Adjustments

Final Agenda

Monday, October 3, 2022

10:00 am

City Council Chambers

City Hall, 1300 Perdido Street, 1st Floor, New Orleans, Louisiana

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: 10 ft

Proposed: 0 ft

Waiver: 10 ft

Item 2 – Docket Number: BZA059-22 (WITHDRAWN)

Property Location: 3815 Camp Street

Bounding Streets: Camp St., General Taylor St., Chestnut St., Peniston St.

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

Historic District: Uptown

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Julia Strain, Laura M. Goodson

Project Planner: Sarah King (sarah.king@nola.gov)

Request: This request for a variance from the provisions of Article 21, Section 21.6.T.1 of the Comprehensive Zoning Ordinance to permit mechanical equipment with insufficient setback **(WITHDRAWN)**.

Requested Waiver:

Article 21, Section 21.6.T.1 – Mechanical Equipment (Setback)

Required: 3 ft

Proposed: 4 in

Waiver: 2 ft, 8 in

Item 3 – Docket Number: BZA061-22

Property Location: 5900 Laurel Street

Bounding Streets: Laurel St., Eleonore St., Annunciation St., State St.

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

Historic District: Uptown

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Michael H. Moses, Fresia Galvez, Zach Smith Consulting & Design

Project Planner: Valerie Goines (valerie.goines@nola.gov)

Request: This request is for a variance from the provisions of Article 22, Section 22.11.B.1 of the Comprehensive Zoning Ordinance to permit a single-family residence with more than one curb cut.

Requested Waiver:

Article 22, Section 22.11.B.1 – Curb Cuts

Permitted: One curb cut

Proposed: Two curb cuts

Waiver: One curb cut

C. Unfinished Business – Any Other Matters

Item 4 – Consideration | Election of Officers

Annually, at the first meeting on or after July 1st of each year, the Board shall elect from its members a Chair and a Vice-Chair as it shall deem necessary and proper. The Chair and Vice-Chair shall serve until June 30th of the following year or until their successors have been elected and qualified and may, if duly elected by the members, succeed themselves. The duties of the Chair shall include the following:

1. The Chair shall preside at all meetings and hearings of the Board. In the event of the absence or disability of the Chair, the Vice-Chair shall preside.
2. The Chair may designate members of the Board to make personal inspections when necessary from time to time, and unless directed shall appoint such committees as may be found necessary.
3. The Chair shall report at each meeting on all official transactions or communications that have not been otherwise communicated to the Board.
4. The Chair shall, subject to these rules, and further instructions from the Board, transact the official business of the Board, supervise the work of the staff and exercise general disciplinary power.
5. The Chair subject to these rules and limitations shall decide all meeting protocol unless otherwise directed by a majority of the Board in session at the time.

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

D. Unfinished Business – Requests for Extension

Item 5 – Docket Number: BZA053-19

Property Location: 12000 Levy Drive

Bounding Streets: Levy Dr., Eastover Dr., Lake Forest Blvd., Bullard Ave.

Zoning District: C-1 General Commercial District

Existing Use: Vacant Lot

Proposed Use: Hotel/Motel

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

Project Planner: Sabine Lebailleur (selebailleur@nola.gov)

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.

E. New Business – Variances

Item 6 – Docket Number: BZA062-22

Property Location: 1455 N. Derbigny Street (Proposed Lot A1)

Bounding Streets: N. Derbigny St., Kerlerec St., N. Roman St., Columbus St.

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

Historic District: Esplanade Ridge

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Derbigny VII, LLC, Mary Patricia O'Brien, Zach Smith Consulting and Design

Project Planner: Robin Jones (rcjones@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 020-22, to permit the creation of a lot with insufficient lot area, insufficient lot depth, and insufficient rear yard setback.

Requested Waivers:

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

Required: 1,800 ft²/du (3,600 sf²)

Proposed: 1,080.31 ft²/du (2,160.62 ft²)

Waiver: 719.70 ft²/du (1,439.38 ft²)

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

Required: 90 ft

Proposed: 88.875 ft

Waiver: 1.125 ft

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

Required: 17.775 ft

Proposed: 8 ft

Waiver: 9.775 ft

Item 7 – Docket Number: BZA063-22

Property Location: 1471-1473 N. Derbigny Street (Proposed Lot 8A)

Bounding Streets: N. Derbigny St., Kerlerec St., N. Roman St., Columbus St.

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

Historic District: Esplanade Ridge

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Derbigny VII, LLC, Mary Patricia O'Brien, Zach Smith Consulting and Design

Project Planner: Robin Jones (rcjones@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 020-22, 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) – Minimum Lot Area

Required: 1,800 ft²/du (3,600 sf²)

Proposed: 986.125 ft²/du (1,972.25 ft²)

Waiver: 813.875 ft²/du (1,627.75 ft²)

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

Required: 90 ft

Proposed: 65.60 ft

Waiver: 24.4 ft

Item 8 – Docket Number: BZA064-22

Property Location: 1475 N. Derbigny Street (Proposed Lot 9A)

Bounding Streets: N. Derbigny St., Kerlerec St., N. Roman St., Columbus St.

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

Historic District: Esplanade Ridge

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Derbigny VII, LLC, Mary Patricia O'Brien, Zach Smith Consulting and Design

Project Planner: Robin Jones (rcjones@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 020-22, 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) – Minimum Lot Area

Required: 1,800 ft²/du (3,600 sf²)

Proposed: 986.125 ft²/du (1,972.25 ft²)

Waiver: 813.875 ft²/du (1,627.75 ft²)

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

Required: 90 ft

Proposed: 64.969 ft

Waiver: 25.03 ft

Item 9 – Docket Number: BZA065-22

Property Location: 1483 N. Derbigny Street (Proposed Lot 10A)

Bounding Streets: N. Derbigny St., Kerlerec St., N. Roman St., and Columbus St.

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

Historic District: Esplanade Ridge

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Derbigny VII, LLC, Mary Patricia O'Brien, Zach Smith Consulting and Design

Project Planner: Robin Jones (rcjones@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 020-22, 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) – Minimum Lot Area

Required: 2,250 ft²/du

Proposed: 1,059 ft²/du

Waiver: 1,191 ft²/du

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

Required: 90 ft

Proposed: 64.30 ft

Waiver: 25.7 ft

Item 10 – 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-Related Manufacturing

Proposed Use: Artisan-Related Manufacturing

Applicant or Agent: 2801 N Robertson Street LLC

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 11 – Docket Number: BZA067-22

Property Location: 1140 Fourth Street

Bounding Streets: Fourth St., Magazine St., Washington Ave., Camp St.

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

Historic District: Garden District

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Glenn Patrick Kelley, Margaret Glass

Project Planner: Valerie McMillan (valerie.mcmillan@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.EE of the Comprehensive Zoning Ordinance to permit a swimming pool in a corner side yard with insufficient distance from a lot line.

Requested Waivers:

Article 21, Section 21.6.EE.3 – Swimming Pools (Yard)

Required: Required rear or interior side yard

Proposed: Corner side yard

Waiver: Corner side yard

Article 21, Section 21.6.EE.2 – Swimming Pools (Setback)

Required: 2 ft

Proposed: 1 ft, 5/8 in

Waiver: 0 ft, 11 3/8 in

Item 12 – Docket Number: BZA068-22

Property Location: 2312-2314 Mardi Gras Boulevard

Bounding Streets: Mardi Gras Blvd., Copernicus St., Farragut St.

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

Existing Use: Vacant Lot

Proposed Use: Two-Family Residence

Applicant or Agent: Kenneth Jackson, Lynette Gordan, Spectrum Designs

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) and Article 11, Section 11.3.A.2 of the Comprehensive Zoning Ordinance to permit the construction of a two-family residence with excessive front setback and front yard build-to line.

Requested Waivers:

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

Required: 20 ft Provided: 32 ft, 4.75 in Waiver: 12 ft, 4.75 in

Article 11, Section 11.3.A.2.iii – Front Yard Build-to Line Requirement

Required: 20 ft Provided: 32 ft, 4.75 in Waiver: 12 ft, 4.75 in

Item 13 – Docket Number: BZA069-22

Property Location: 1548 N. Roman Street

Bounding Streets: N. Roman St., Lapeyrouse St., N. Derbigny St., Laharpe St.

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

Historic District: Esplanade Ridge

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Noura Delaire Investments LLC, James F. Dixon

Project Planner: Sarah C. King (Sarah.King@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 to permit an addition to a single-family residence resulting in insufficient rear yard setback and insufficient permeable open space.

Requested Waivers:

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

Required: 9.8 ft Proposed: 3.125 ft Waiver: 6.675 ft

Article 11, Section 11.3. A.1 (Table 11-2A) – Permeable Open Space

Required: 257 ft² (30%) Proposed: 145 ft² Waiver: 112 ft²

Item 14 – Docket Number: BZA070-22

Property Location: 1371 Burbank Drive

Bounding Streets: Burbank Dr., St. Bernard Ave., Soldiers St., Cartier Ave.

Zoning District: S-RS Suburban Single-Family Residential District

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Cedric Grant, Bridget Depland-Grant, Roland A. Arriaga

Project Planner: Cameron Boissiere (cameron.boissiere@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 the renovation of a single-family residence resulting in insufficient rear yard setback.

Requested Waiver:

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

Required: 20 ft

Provided: 12 ft

Waiver: 8 ft

Item 15 – Docket Number: BZA071-22

Property Location: 1441 State Street

Bounding Streets: State St., Hurst St., Eleanore St., Garfield St.

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

Historic District: Uptown

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: BB1441 LLC, Curtis Eustis, Webre Consulting

Project Planner: Rachael Berg (rberg@nola.gov)

Request: This request is for a variance from the provisions of Article 18, Section 18.30.B.1 of the Comprehensive Zoning Ordinance to permit the construction of single-family residence with insufficient off-street parking.

Requested Waiver:

Article 18, Section 18.30.B.1- Off Street Parking Requirement

Required: 19 spaces

Provided: 5 spaces

Waiver: 14 spaces

Item 16 – Docket Number: BZA072-22

Property Location: 621 Celeste Street, 1717 Religious Street

Bounding Streets: Celeste St., St. Thomas St., St. James St., Religious St.

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

Overlay: Small Multi-Family Affordable Short Term Rental Interim Zoning District

Existing Use: Mixed-Use (10-unit residential/commercial)

Proposed Use: Multi-Family Residence (46-unit)

Applicant or Agent: Cambrie Celeste LLC, Religious Q2 LLC, Vanessa Levine

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

Request: This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) of the Comprehensive Zoning Ordinance to permit the conversion of a mixed-use development (10-unit residential/commercial) to a multi-family residence (46-unit) and an addition, resulting in insufficient lot area.

Requested Waivers:

Article 15, Section 15.3.A.1 (Table 15-2) – Lot Area

Required: 560 ft²/du

Proposed: 533.58 ft²/du

Waiver: 26.41 ft²/du

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

Required: 32 spaces

Provided: 22 spaces

Waiver: 10 spaces

Item 17 – Docket Number: BZA073-22

Property Location: 6320-6322 Magazine Street

Bounding Streets: Magazine St., Calhoun St., Constance St., Exposition Blvd.

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

Historic District: Uptown

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Keri Ansley, Hudson Ansley

Project Planner: Valerie Goines, Emily Ramírez Hernández (valerie.goines@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 076-22, to permit the creation of a lot with insufficient lot area, insufficient lot depth, insufficient permeable open space, and insufficient rear yard setback.

Requested Waivers:

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

Required: 1,800 sf/du (3,600 sf)

Proposed: 1,164.185 sf/du (2,328.37 sf)

Waiver: 635.815 sf/du (1,271.63 sf)

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

Required: 90 ft

Proposed: 61 ft

Waiver: 29 ft

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Permeable Open Space

Required: 698.511 ft²

Proposed: 304.74 ft²

Waiver: 393.771 ft²

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

Required: 12.2 ft

Proposed: 5.771 ft

Waiver: 6.429 ft

Item 18 – 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

Overlay: CT Corridor Transformation Overlay 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.B.1.a, and Article 22, Section 22.8.D of the Comprehensive Zoning Ordinance to permit a carry-out restaurant with insufficient lot area, insufficient lot depth, the primary entrance not oriented to the street, and a parking area designed so that the driver of the vehicle backs out into traffic rather than proceeds forward.

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

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

F. New Business – Director of Safety and Permits Decision Appeals

Item 19 – Docket Number: BZA075-22

Property Location: 2372 Constance Street

Bounding Streets: Constance St., Phillip St., Laurel St. First St.

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

Historic District: Irish Channel

Existing Use: Subject of Appeal

Proposed Use: Mixed-Use

Applicant or Agent: Richard Paul Hebert

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 Zoning Interpretation Memorandum Z-22-04 and the reversal of NCU Determination No. 22-0489, which resulted in the mooted of BZA048-22 and the retainment of the property's legal non-conforming status as a convenience store with low content alcoholic beverage sales.

G. New Business – Any Other Matters

Item 20 – 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](#)

H. 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.

- **Variiances:** 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 October 13, 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
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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.