



# City of New Orleans

## Board of Zoning Adjustments

### Draft Agenda (Revised)

Monday, September 12, 2022

10:00 am

City Council Chambers

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

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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.

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

#### B. Unfinished Business – Director of Safety and Permits Decision Appeals

##### Item 1 – Docket Number: BZA054-22

**Property Location:** 209 Decatur Street

**Bounding Streets:** Decatur St., Iberville St., Chartres St., Bienville St.

**Zoning District:** VCE-1 Vieux Carré Entertainment District

**Historic District:** Vieux Carré

**Existing Use:** Restaurant, Standard

**Proposed Use:** Restaurant, Standard

**Applicant or Agent:** Justin B. Schmidt

**Project Planner:** N/A ([CPCinfo@nola.gov](mailto: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, in conjunction with BZA Docket 033-22, regarding the determination that the holding bar is legally non-conforming.

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**Item 2 – Docket Number: BZA055-22**

**Property Location:** 1738 Louisiana Avenue

**Bounding Streets:** Louisiana Ave., Baronne St., Delachaise St., Carondelet St.

**Zoning District:** HU-MU Historic Urban Neighborhood Mixed-Use District

**Historic District:** Uptown

**Existing Use:** Vacant Building

**Proposed Use:** Restaurant, Standard

**Applicant or Agent:** Delachaise Neighborhood Association

**Project Planner:** N/A ([CPCinfo@nola.gov](mailto: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. 22-08048-RNVN.

**C. Unfinished Business – Any Other Matters**

**Item 3 – 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](#)**

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**D. New Business – Variances**

**Item 4 – Docket Number: BZA056-22**

**Property Location:** 2550-2552 N. Rocheblave Street

**Bounding Streets:** N. Rocheblave St., Music St., N. Tonti St., Peace Ct., St. Roch Ave.

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

**Existing Use:** Two-Family Residence

**Proposed Use:** Two-Family Residence

**Applicant or Agent:** Michael Watson, Frances Watson

**Project Planner:** Aspen Nero ([asnero@nola.gov](mailto:asnero@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 an addition to a two-family residence resulting in insufficient rear yard setback.

**Requested Waivers:**

Required: 14.6 ft

Proposed: 3.5 ft

Waiver: 7.67 ft

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**Item 5 – Docket Number: BZA057-22**

**Property Location:** 5814 Louisville Street

**Bounding Streets:** Kenilworth St., Colbert St., Brooks St., Louisville St.

**Zoning District:** S-LRS1 Suburban Lakeview Single-Family Residential District

**Existing Use:** Vacant Lot

**Proposed Use:** Single-Family Residence

**Applicant or Agent:** Alfonso Campos, Leah Hill Campos, Jonnie Beth Bryan

**Project Planner:** Valerie McMillan ([valerie.mcmillan@nola.gov](mailto:valerie.mcmillan@nola.gov))

**Request:** This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2), Article 13, Section 13.3.B.1.b, and Article 22, Section 22.11.B.1 of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient rear yard setback, a front facing garage not located at least five (5) feet behind the front façade of the principal building, and more than one curb cut.

**Requested Waivers:**

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

Required: 20 ft

Proposed: 4 ft

Waiver: 16 ft

**Article 13, Section 13.3.B.1.b – Parking Area Location**

Required: Front facing garage located at least five (5) feet behind the front façade

Proposed: Front facing garage not located at least five (5) feet behind the front façade

Waiver: Front facing garage not located at least five (5) feet behind the front façade

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

Permitted: One curb cut

Proposed: Two curb cuts

Waiver: One curb cut

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**Item 6 – 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](mailto:bria.dixon@nola.gov))

**Request:** This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) and Article 22, Section 22.4 (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of a mixed-use development with insufficient corner side yard setback, insufficient rear yard setback, and insufficient off-street parking.

**Requested Waivers:**

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

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

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

Required: 25 ft                                      Proposed: 15 ft                                      Waiver: 10 ft

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

Required: 11 spaces                                      Proposed: 6 spaces                                      Waiver: 5 spaces

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**Item 7 – Docket Number: BZA059-22**

**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](mailto: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.

**Requested Waiver:**

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

Required: 3 ft                                      Proposed: 4 in                                      Waiver: 2 ft, 8 in

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**Item 8 – Docket Number: BZA060-22**

**Property Location:** 302 Wallace Drive (Proposed Lot B1)

**Bounding Streets:** Wallace Dr., Pelopidas St., Warrington Dr., Mandolin St.

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

**Existing Use:** Single-Family Residence

**Proposed Use:** Single-Family Residence

**Applicant or Agent:** Joanne B. Lafonta

**Project Planner:** Cameron Boissiere ([cameron.boissiere@nola.gov](mailto: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 creation of a lot with a single-family residence with insufficient lot area, in conjunction with Subdivision Docket 066-22.

**Requested Waiver:**

**Article 13, Section 13.3.A.1 (Table 13.2) – Lot Area**

Required: 6,444 ft<sup>2</sup>

Proposed: 4,431 ft<sup>2</sup>

Waiver: 819 ft<sup>2</sup>

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**Item 9 – 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](mailto: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

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## E. New Business – Reasonable Accommodation Appeals

**Item 10 – Docket Number: RA002-22**

**Property Location:** 5621 St. Roch Avenue

**Bounding Streets:** St. Roch Ave., Prentiss Ave., Music St., Mendez St.

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

**Existing Use:** Two-Family Residence

**Proposed Use:** Two-Family Residence

**Applicant or Agent:** Joycelyn Hayes

**Project Planner:** Valerie McMillan ([valerie.mcmillan@nola.gov](mailto:valerie.mcmillan@nola.gov))

**Request:** This is an appeal of a decision of the Executive Director of the City Planning Commission as per Article 27, Section 27.7 of the Comprehensive Zoning Ordinance regarding the partial denial of a reasonable accommodation from the provisions of Article 22, Section 22.11.D.3 to permit a parking pad with insufficient setback and relief from proviso #2, requiring modification of the petitioned parking pad to measure at least three (3) feet from the side lot line on the Mendez Street side and at least 8.5 feet in width (**AFTER THE FACT**).

**Article 22, Section 22.11.D.3 – Parking Pad Location (Setback)**

Required: 3 ft

Provided: 0 ft

Waiver: 3 ft

2. **Prior** to final approval by the City Planning Commission, the applicant shall submit revised site, floor, and elevation plans to the City Planning Commission staff for review and approval. These plans shall indicate:
  - a. Modification of the petitioned parking pad to measure at least three (3) foot from the side lot line on the Mendez Street side in accordance with **Article 22, Section 22.11.D.3 – Parking Pad Location (Setback)** and
  - b. Modification of the petitioned parking pad to measure at least 8.5 feet in width in accordance with **Article 22, Section 22.8.D (FIGURE 22-2)**.

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## F. New Business – Requests for Extension

**Item 11 – 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](mailto: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.

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## G. Rehearing – Variances

**Item 12 – Docket Number: BZA052-22**

**Property Location:** 3316-3322 Delachaise Street

**Bounding Streets:** Delachaise St., S. Prieur St., General Taylor St., S. Johnson St.

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

**Existing Use:** Two-Family Residence

**Proposed Use:** Two-Family Residence

**Applicant or Agent:** MLM Holdings LLC

**Project Planner:** Valerie Goines ([valerie.goines@nola.gov](mailto:valerie.goines@nola.gov))

**Request:** This request is for a rehearing 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 debulking of a parcel, resulting in insufficient interior side yard setback.

**Requested Waiver:**

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

Required: 3 ft

Proposed: 2 ft, 2 3/8 in

Waiver: 9 5/8 in

## H. Adjournment

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## Application Materials

Application materials are available for review at [onestopapp.nola.gov](http://onestopapp.nola.gov). Note the requested waivers are subject to change prior to the hearing.

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## Public Comments

Written comments on any of the matters included on the agenda are accepted in the following ways:

- Email (preferred): The assigned planner listed above (or [CPCinfo@nola.gov](mailto:CPCinfo@nola.gov))
- Mail: 1300 Perdido Street, Room 7W03, New Orleans, LA 70112

All written correspondence should include the docket number and be made to the attention of the assigned planner or the staff of the Board of Zoning Adjustments.

**Deadline:** The deadline for receipt of public comment for transmittal to the Board in advance of the meeting is no later than 5:00 p.m. on *Tuesday*, September 6, 2022.

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## Meeting Information

### 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.

### Meeting Video

- Livestream: [http://cityofno.granicus.com/ViewPublisher.php?view\\_id=2](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 September 22, 2022, and will be available online at [onestopapp.nola.gov](http://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](mailto: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](mailto: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.