



City of New Orleans Board of Zoning Adjustments Draft Agenda

Monday, August 7, 2023

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: BZA004-23

Property Location: 7808 Pearl Street

Bounding Streets: Pearl St., Burdette St., Dominican St., Fern St.

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

Historic District: Carrollton

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: David Lee Berke, Debbie O'Neal Berke

Project Planner: Ava Monnet (ava.monnet@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 the construction of a single-family residence with insufficient rear yard setback.

Requested Waiver:

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

Required: 15 ft

Proposed: 3 ft, 5 ½ ft

Waiver: 11 ft, 6 ½ in

Item 2 – Docket Number: BZA017-23

Property Location: 1519 Baronne Street

Bounding Streets: Baronne St., Terpsichore St., Oretha Castle Haley Blvd., Martin Luther King, Jr., Blvd.

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

Overlay District: EC Enhancement Corridor

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Emanuel Rojas, Zach Smith Consulting & Design

Project Planner: Emily Ramirez Hernandez (erhernandez@nola.gov)

Request: This request is for a variance from the provisions of Article 12, Section 12.3.A.1 (Table 12-2) of the Comprehensive Zoning Ordinance to permit the conversion of a two-family residence to a single-family residence resulting in insufficient rear yard setback.

Requested Waiver:

Article 12, Section 12.3.A.1 (Table 12-2) – Rear Yard Setback

Required: 15 ft

Proposed: 9.75 ft

Waiver: 5.25 ft

Item 3 – Docket Number: BZA027-23

Property Location: 2426-28 Marais Street

Bounding Streets: Marais St., Music St., Saint Claude Ave., Saint Roch Ave.

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

Existing Use: Vacant Lot

Proposed Use: Two-Family Residence

Applicant or Agent: Norman Parent, P&P Builders LLC, Delaune Investment Services, LLC

Project Planner: Marin Stephens (marin.stephens@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 the construction of a two-family residence with insufficient off-street parking.

Requested Waiver:

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

Required: 2 spaces

Proposed: 0 spaces

Waiver: 2 spaces

Item 4 – Docket Number: BZA049-23

Property Location: 126-128 S. Salcedo Street

Bounding Streets: S. Salcedo St., Canal St., S. Gayoso St., Cleveland Ave.

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

Historic District: Mid-City

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Luke Corporation, Caleb Didricksen

Project Planner: Cameron Boissiere (cameron.boissiere@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 024-23, 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 Proposed: 1,422 sf Waiver: 378 sf

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

Required: 90 ft Proposed: 39.5 ft Waiver: 50.5 ft

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

Required: 30% Proposed: 24.94% Waiver: 5.06%

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

Required: 7.9 ft Proposed: 0 ft Waiver: 7.9 ft

Item 5 – Docket Number: BZA050-23

Property Location: 126-128 S. Salcedo Street

Bounding Streets: S. Salcedo St., Canal St., S. Gayoso St., Cleveland Ave.

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

Historic District: Mid-City

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Luke Corporation, Caleb Didricksen

Project Planner: Cameron Boissiere (cameron.boissiere@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 024-23, to permit the creation of a lot with insufficient area, insufficient depth, and insufficient rear yard setback.

Requested Waivers:

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

Required: 1,800sf Proposed: 1,797.84 sf Waiver: 2.16 sf

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

Required: 90 ft Proposed: 36 ft Waiver: 54 ft

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

Required: 7.2 ft Proposed: 3 ft Waiver: 4.2 ft

Item 6 – Docket Number: BZA060-23

Property Location: 2712 S. Rocheblave Street

Bounding Streets: S. Rocheblave St., Fourth St., S. Tonti St., Washington Ave.

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

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Elite Properties & Investments LLC, Katasha Taylor, Malcolm J. LeBlanc III

Project Planner: Ava Monnet (ava.monnet@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 the construction of a single-family residence with insufficient off-street parking.

Requested Waiver:

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

Required: 1 space

Proposed: 0 spaces

Waiver: 1 space

Item 7 – Docket Number: BZA063-23

Property Location: 2820-22 Saint Thomas Street

Bounding Streets: Saint Thomas St., Washington Ave., Livaudais St., Sixth St.

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

Historic District: Irish Channel

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Tri Cung, Thuy T. Nguyen, Garret Willis

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

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2) of the Comprehensive Zoning Ordinance to permit the debulking of a parcel, resulting in insufficient interior side yard setback and insufficient permeable open space.

Requested Waivers:

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

Required: 3 ft

Proposed: 0.271 ft

Waiver: 2.729 ft

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

Required: 30% (1,260 ft²)

Proposed: 12.3% (517 ft²)

Waiver: 17.7% (743 ft²)

C. New Business – Variances

Item 8 – Docket Number: BZA065-23

Property Location: 427 S. Rampart Street

Bounding Streets: S. Rampart St., Poydras St. Loyola Ave., Perdido St.

Zoning District: CBD-1 Core Central Business District

Existing Use: Vacant Lot

Proposed Use: Commercial

Applicant or Agent: Rampart Partners LLC, Jason Richards, Studio West Design & Architecture

Project Planner: Robin Jones (rcjones@nola.gov)

Request: This request is for variances from the provisions of Article 17, Section 17.4.A.1 (Table (17-2) of the Comprehensive Zoning Ordinance to permit the construction of a commercial development with insufficient height and insufficient number of stories.

Requested Waivers:

Article 17, Section 17.4.A.1 (Table (17-2) – Minimum Building Height

Required: 36 ft Proposed: 32 ft, 10 7/8 in Waiver: 3 ft, 1 1/8 in

Article 17, Section 17.4.A.1 (Table (17-2) – Minimum Number of Stories

Required: 3 stories Proposed: 2 stories Waiver 1 story

Item 9 – Docket Number: BZA066-23

Property Location: 1407 Bordeaux Street

Bounding Streets: Bordeaux St., Pitt St., Valence St., Prytania 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: Walter Plauche, Fresia Galvez, Zach Smith Consulting & Design

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

Request: This request is for a variance from the provisions of Article 21, Section 21.6.A.8 of the Comprehensive Zoning Ordinance to permit the retention of an accessory structure with insufficient distance from the rear lot line **(AFTER THE FACT)**.

Requested Waiver:

Article 21, Section 21.6.A.8 – Accessory Structures and Uses (Corner Lots)

Required: 3 ft Proposed: 2.7 ft Waiver: 0.3 ft

Item 10 – Docket Number: BZA067-23

Property Location: 2711-2713 N. Dorgenois Street

Bounding Streets: N. Dorgenois St., Painters St., Law St., Franklin Ave.

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

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Dominique Chankell, Lynnette Gordon

Project Planner: Brennan Walters (brennan.walters@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 the construction of a single-family residence with insufficient permeable open space, insufficient interior side yard setback, insufficient rear yard setback, and mechanical equipment with insufficient distance from an interior side and rear property lines.

Requested Waivers:

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

Required: 30% Proposed: 27% Waiver: 3%

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

Required: 3 ft Proposed: 1 ft Waiver: 2 ft

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

Required: 3 ft Proposed: 1 ft Waiver: 2 ft

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

Required: 12.79 ft Proposed: 10 ft Waiver: 2.79 ft

Article 21, Section 21.6.T – Mechanical Equipment (Interior Side Yard)

Required: 2 ft Proposed: 1 ft Waiver: 1 ft

Article 21, Section 21.6.T – Mechanical Equipment (Rear Yard)

Required: 2 ft Proposed: 1 ft Waiver: 1 ft

Item 11 – Docket Number: BZA068-23

Property Location: 5936 Louisville Street

Bounding Streets: Louisville St., Brooks St., Colbert St., Polk St.

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

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Massa Properties Two LLC

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

Request: This request is for variances from the provisions Article 13, Section 13.3.A.1 (Table 13-2) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 053-23, to permit the creation of a lot with insufficient lot area and insufficient lot width.

Requested Waivers:

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

Required: 4,800 ft² Proposed: 4,405.35 ft² Waiver: 394.65 ft²

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

Required: 40 ft Proposed: 34.15 ft Waiver: 5.85 ft

Item 12 – Docket Number: BZA069-23

Property Location: 1423 General Pershing Street

Bounding Streets: General Pershing St., Pitt St., Milan St., Prytania St.

Zoning District: HU-RM1 Historic Urban Multi-Family Residential District

Historic District: Uptown

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Charles T. Ochello, Sr.

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

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A), Article 21, Section 21.6.A.8, Article 21, Section 21.6.H.3, Article 21, Section 21.6.H.4, and Article 21, Section 21.6.H.5 of the Comprehensive Zoning Ordinance to permit retention of a carport with insufficient distance from the rear lot line, insufficient distance from the interior side lot line, excessive height, enclosed on the corner side yard, resulting in insufficient permeable open space **(AFTER THE FACT)**.

Requested Waivers:

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

Required: 30% (932.4sf) Provided: 5.7% (177sf) Waiver: 24.3% (926.7sf)

Article 21, Section 21.6.A.8 – Accessory Structures and Uses (Corner Lots)

Required: 3 ft Provided: 0 ft Waiver: 3 ft

Article 21, Section 21.6.H.3 – Carport (Projection)

Required: 3 ft Provided: 0 ft Waiver: 3 ft

Article 21, Section 21.6.H.4 – Carport (Height)

Permitted: 14 ft Provided: 16 ft Waiver: 2 ft

Article 21, Section 21.6.H.5 – Carport (Interior or Corner Side Yard)

Required: Unenclosed Provided: Enclosed Waiver: Enclosed

Item 13 – Docket Number: BZA070-23

Property Location: 1351 Tchoupitoulas Street

Bounding Streets: Tchoupitoulas St., Melpomene St., Annunciation St., Thalia St.

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

Overlay District: CCN (Convention Center Neighborhood) Overlay District

Existing Use: Vacant Lot

Proposed Use: Amusement Facility, Outdoor

Applicant or Agent: Ernest N. Morial Convention Center

Project Planner: Haley Delery Molina (hdelery@nola.gov)

Request: This request is for variances from the provisions of Article 15, Section 15.3.B.k and Article 24, Section 24.11.F.4 of the Comprehensive Zoning Ordinance to permit the construction of an outdoor amusement facility with prohibited exterior elevation material and wall signs with excessive area.

Requested Waivers:

Article 15, Section 15.3.B.k – Building Design Standards (Prohibited Building Materials)

Required: No EIFS Proposed: EIFS Waiver: EIFS

Article 24, Section 24.11.F.4 – Wall Sign (Euterpe Street Side)

Required: 425 ft² Proposed: 1,491.1 ft² Waiver: 1,066.1 ft²

Article 24, Section 24.11.F.4 – Wall Sign (Tchoupitoulas Street Side)

Required: 91 ft² Proposed: 361.7 ft² Waiver: 270.7 ft²

Item 14 – Docket Number: BZA071-23

Property Location: 5720 Foxcroft Drive

Bounding Streets: Foxcroft Dr., Lake Forest Blvd., Wright Rd., Winchester Park Dr.

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

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Shawn M. Lockett, Melanie C. Lockett

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

Request: This a 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 interior side yard setback.

Requested Waiver:

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

Required: 10 ft

Proposed: 2 ft

Waiver: 8 ft

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

Item 15 – Docket Number: BZA072-23 | WITHDRAWN

Property Location: 905 Cherokee Street

Bounding Streets: Cherokee St., Freret St., Lowerline St., Burthe St.

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

Overlay District: University Area Off-Street Parking Overlay District

Historic District: Carrollton

Existing Use: Multi-Family Residence (4-Unit)

Proposed Use: Two-Family Residence

Applicant or Agent: K S R & Company

BZA Contact: Valerie Goines (valerie.goines@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 revocation of permit no. 23-31118-RNVN and the determination that a new building permit application is required, resulting in the applicability of the University Area Off-Street Parking Interim Zoning District.

E. Adjournment

Application Materials

Application materials are available for review at onestopapp.nola.gov. Note the requested waivers are subject to change prior to the hearing.

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)
- 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 Monday, July 31, 2023.

Staff Reports & Summary Reports

Distribution of variance staff reports and appeal summary reports to the Board members and to the general public shall occur on August 2 and be available for review [here](#).

Note: CPC staff does not write staff reports for decision appeals; however, the Department of Safety and Permits provides a written summary of the basis for their decision.

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.

Meeting Video

- Livestream: http://cityofno.granicus.com/ViewPublisher.php?view_id=2
 - Live Television Broadcast: Cox Cable Channel 6 in Orleans Parish
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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 August 17, 2023, 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.