



City of New Orleans Board of Zoning Adjustments Draft Agenda

Monday, February 6, 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Item 1 – Docket Number: BZA063-22 (WITHDRAWN)

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 & 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Subdivision Docket 020-22, to permit the creation of a lot with insufficient lot area and insufficient lot depth (**WITHDRAWN**).

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Item 2 – Docket Number: BZA064-22 (WITHDRAWN)

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 & 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 (**WITHDRAWN**).

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 3 – Docket Number: BZA065-22 (WITHDRAWN)

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 & 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 **(WITHDRAWN)**.

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 4 – Docket Number: BZA003-23

Property Location: 1124 Louisiana Avenue

Bounding Streets: Louisiana Ave., Magazine St., Delachaise St., Camp St.

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

Historic District: Garden District

Existing Use: Single-Family Residence

Proposed Use: Single-Family Residence

Applicant or Agent: Michael T. Gray, Margaret Glass

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

Request: This request is for a variance from the provisions of Article 21, Section 21.6.N.1.a of the Comprehensive Zoning Ordinance to permit the retention of a fence with excessive height **(AFTER THE FACT)**.

Requested Waiver:

Article 21, Section 21.6.N.1.a – Fence Height

Required: 7 ft Proposed: 8 ft, 11 in Waiver: 1 ft, 11 in

Item 5 – 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

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), Article 11, Section 11.3.A.2, Article 21, Section 21.6.H.4, and Article 21, Section 21.7 (Table 21-2) of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient front yard setback, insufficient front yard build-to line, insufficient rear yard setback, excessive carport height, and a carport that encroaches into the required front yard.

Requested Waivers:

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

Permitted: 12 ft Proposed: 40 ft, 11 ¼ in Waiver: 28 ft, ¾ in

Article 11, Section 11.3.A.2 – Front Yard Build-To Line

Permitted: 12 ft Proposed: 40 ft, 11 ¼ ft Waiver: 28 ft, ¾ in

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

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

Permitted: 14 ft Proposed: 17 ft, 10 in Waiver: 3 ft, 10 in

Article 21, Section 21.7 (Table 21-2) – Permitted Encroachments into Required Yards (Carport)

Permitted: Required interior or rear yard

Proposed: Required front yard

Waiver: Required front yard

C. Unfinished Business – Director of Safety and Permits Decision Appeals

Item 6 – Docket Number: BZA095-22

Property Location: 300 Baronne Street

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

Zoning District: CBD-1 Core Central Business District

Existing Use: Commercial Short-Term Rental

Proposed Use: Commercial Short-Term Rental

Applicant or Agent: Jill Gautreaux, 300 Baronne Street, LLC

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 determination that the property has not retained legal non-conforming status as a commercial short term rental.

D. New Business – Variances

Item 7 – Docket Number: BZA007-23 (Proposed Lot A-1)

Property Location: 1700-1750 Simon Bolivar Avenue

Bounding Streets: Simon Bolivar Ave., Euterpe St., S. Saratoga St., Felicity St.

Zoning District: HU-RM1 Historic Urban Multi-Family Residential District EC Enhancement Corridor

Existing Use: Vacant Lot

Proposed Use: Two-Family Residence

Applicant or Agent: Team Robot LLC, Zach Smith Consulting & 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 128-22, to permit the creation of a lot with insufficient lot area, insufficient lot width, and insufficient lot depth.

Requested Waivers:

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

Required: 3,400 sf (1,700 sf/du)

Proposed: 3,071.34 sf (1,535.67 sf/du)

Waiver: 328.66 sf (164.33 sf/du)

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

Required: 40 ft

Proposed: 37.479 ft

Waiver: 2.521 ft

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

Required: 90 ft

Proposed: 80.021 ft

Waiver: 9.979 ft

Item 8 – Docket Number: BZA008-23 (Proposed Lot C-1)

Property Location: 1700-1750 Simon Bolivar Avenue

Bounding Streets: Simon Bolivar Ave., Euterpe St., S. Saratoga St., Felicity St.

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

Existing Use: Vacant Lot

Proposed Use: Two-Family Residence

Applicant or Agent: Team Robot LLC, Zach Smith Consulting & 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 128-22, to permit the creation of a lot with insufficient lot area, insufficient lot width, and insufficient lot depth.

Requested Waivers:

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

Required: 3,400 sf (1,700 sf/du)

Proposed: 3,025.1 sf (1,512.55 sf/du)

Waiver: 374.9 sf (187.45 sf/du)

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

Required: 40 ft

Proposed: 35 ft, 8 1/4 in

Waiver: 4 ft, 3 3/4 in

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

Required: 90 ft

Proposed: 77.062 ft

Waiver: 12.938 ft

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

Item 10 – Docket Number: BZA010-23

Property Location: 1117-1119 Pine Street

Bounding Streets: Pine St., Oak St., Broadway St., Zimpel 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: Town of Carrollton Watch, LLC

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. 22-30752-RNVN.

Item 11 – Docket Number: BZA011-23

Property Location: 6072-6074 Laurel Street

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

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: Stephen Adams, Laurel Street Music

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 denial of issuance of permit no. 222-32608-SPMA and permit no. 22-32609-SPMA.

Item 12 – Docket Number: BZA012-23

Property Location: 106-126 Wren Street

Bounding Streets: Wren St., Lily Ln., Breeze Park

Zoning District: S-LRM1 Suburban Lake Area Low-Rise Multi-Family Residential District

Existing Use: Townhouse/Vacant Land

Proposed Use: Townhouse

Applicant or Agent: Bancroft Property Investments, LLC, Sherman Strategies, LLC

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 interpretation of Article 4, Section 4.6.G.1, in conjunction with BZA 059-19 and permit no. 19-03458-NEWC.

Item 13 – Docket Number: BZA013-23

Property Location: 712 Washington Avenue

Bounding Streets: Washington Ave., Chippewa St., Sixth St., Annunciation St.

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

Historic District: Irish Channel

Existing Use: Two-Family Residence

Proposed Use: Multi-Family Residence

Applicant or Agent: Richard Albert, Lacey J. Wotring, Benjamin Ellman, Will Graff

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 of reissuance of permit no. 22-033387-RNVS.

F. 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, January 30, 2023.

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

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 February 16, 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.