



# City of New Orleans Board of Zoning Adjustments Final Agenda

Monday, January 9, 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: 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:** Val Goines ([valerie.goines@nola.gov](mailto:valerie.goines@nola.gov)); Emily Hernández ([erhernandez@nola.gov](mailto:erhernandez@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 and insufficient lot depth.

### **Requested Waivers:**

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

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

Proposed: 1,278.695 sf/du (2,557.39 sf)

Waiver: 521.305 sf/du (1,042.61 sf)

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

Required: 90 ft

Proposed: 67 ft

Waiver: 23 ft

**Item 2 – Docket Number: BZA081-22 (WITHDRAWN)**

**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](mailto: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 **(WITHDRAWN)**.

**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

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**Item 3 – Docket Number: BZA096-22**

**Property Location:** 1725-29 Monroe Street

**Bounding Streets:** Monroe St., Hickory St., Leonidas St., Green St.

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

**Existing Use:** Vacant Lot

**Applicant or Agent:** Hammerhead Development, LLC, Eric Van Hoven, Baxter Stewart

**Project Planner:** Valerie McMillan ([valerie.mcmillan@nola.gov](mailto:valerie.mcmillan@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 051-22, 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: 28.188 ft

Waiver: 1.812 ft

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

**Item 4 – 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](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 determination that the property has not retained legal non-conforming status as a commercial short term rental.

### D. New Business – Variances

**Item 5 – Docket Number: BZA001-23**

**Property Location:** 1734 Amelia Street

**Bounding Streets:** Amelia St., Carondelet St., Peniston St., Baronne 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:** ACD Equities, LLC, Aleicia Donald

**Project Planner:** Brennan Walters ([Brennan.Walters@nola.gov](mailto:Brennan.Walters@nola.gov))

**Request:** This request is for a variance from the provisions of Article 21, Section 21.6.T.3 of the Comprehensive Zoning Ordinance to permit mechanical equipment in the corner side yard.

**Requested Waiver:**

**Article 21, Section 21.6.T.3 – Mechanical Equipment (Location)**

Required: Interior side or rear yard

Proposed: Corner side yard

Waiver: Corner side yard

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**Item 6 – Docket Number: BZA002-23**

**Property Location:** 4629 Willow Street

**Bounding Streets:** Willow St., Upperline St., S. Claiborne Ave., Cadiz 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:** Climate Tamers, Inc., Bradley Miller

**Project Planner:** Cameron Boissiere ([cameron.boissiere@nola.gov](mailto:cameron.boissiere@nola.gov))

**Request:** This request is for variances from the provisions of Article 11, Section 11.3.B.3, Article 22, Section 22.8.A.1.b, Article 22, Section 22.11.D.1, and Article 22, Section 22.11.D.2 of the Comprehensive Zoning Ordinance to permit the retention of a parking space in the front yard **(AFTER THE FACT)**.

**Requested Waivers:**

**Article 11, Section 11.3.B.3 – Parking Pad Location**

Required: No front yard parking

Provided: Front yard parking

Waiver: Front yard parking

**Article 22, Section 22.8.A.1.b – Permitted Vehicle Parking Locations (Front Yard)**

Required: No front yard parking

Provided: Front yard parking

Waiver: Front yard parking

**Article 22, Section 22.11.D.1 – Parking Pad Location**

Required: No front yard parking

Provided: Front yard parking

Waiver: Front yard parking

**Article 22, Section 22.11.D.2 – Parking Pad Design (Location)**

Required: No parking space in front yard

Provided: Parking space in front yard

Waiver: Parking space in front yard

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**Item 7 – 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](mailto: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

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**Item 8 – 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](mailto: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.3 of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient corner side yard setback and insufficient rear yard setback.

**Requested Waivers:**

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

Required: 7 ft, 6 in

Proposed: 4 ft, 2½ in

Waiver: 3 ft, 3 ½ in

**Article 11, Section 11.3.A.3 – Corner Side Yard**

Required: 7 ft, 6 in

Proposed: 4 ft, 2½ in

Waiver: 3 ft, 3 ½ in

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

Required: 15 ft

Proposed: 3 ft, 5 ½ in

Waiver: 11 ft, 6 ½ in

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**Item 9 – Docket Number: BZA006-23**

**Property Location:** 614-16 Conti Street

**Bounding Streets:** Conti St., Exchange Aly., Bienville St., Chartres St.

**Zoning District:** VCC-2 Vieux Carré Commercial District

**Historic District:** Vieux Carré

**Existing Use:** Vacant Building

**Proposed Use:** Standard Restaurant

**Applicant or Agent:** Conti Street Holding LLC, Michael Sherman

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

**Request:** This request is for a variance from the provisions of Article 10, Section 10.3.A (Table 10-2) of the Comprehensive Zoning Ordinance to permit a standard restaurant with insufficient open space ratio.

**Requested Waiver:**

**Article 10, Section 10.3.A (Table 10-2) – Open Space Ratio**

Required: .30

Proposed: .0

Waiver: .30

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

**Item 10 – Docket Number: BZA005-23**

**Property Location:** 821-823 Adams Street

**Bounding Streets:** Adams St., Burthe St., Hillary St., Maple St.

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

**Historic District:** Carrollton

**Existing Use:** Multi-Family Residence

**Proposed Use:** Two-Family Residence

**Applicant or Agent:** Susan Johnson

**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. 22-25821-RNVS.

**F. New Business – Any Other Matters**

**Item 11 – Consideration | Amendment to the 2023 Board of Zoning Adjustments Meeting Schedule**

**G. Adjournment**

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**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.

**Variances:** 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](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 January 19, 2023, 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.