



City of New Orleans Board of Zoning Adjustments Final Agenda

Monday, May 1, 2023

10:00 am

Rosenwald Recreation Center

1120 S. Broad Street, 2nd Floor (Room 204), New Orleans, Louisiana

Note: This meeting has been relocated to the Rosenwald Recreation Center as noted above. On-street parking is available.

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: 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: 9 ft, 7.5 in

Waiver: 2 ft, 7.5 in

Item 2 – 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 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

Item 3 – 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: Laura Bryan (lbbryan@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 4 – Docket Number: BZA026-23

Property Location: 8133-8137 Green Street

Bounding Streets: Green St., Dublin St., Hickory St., S. Carrollton Ave.

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

Historic District: Carrollton

Existing Use: Two-Family Residence

Proposed Use: Two-Family Residence

Applicant or Agent: Klaus Koelbel

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

Request: This request is for variances from the provisions Article 11, Section 11.3.A.1 (Table 11-2A), Article 11, Section 11.3.B.3.a, Article 22, Section 22.8.A.1.b.ii, Article 22, Section 22.11.B.1, Article 22, Section 22.11.D.1, Article 22, Section 22.11.D.2, and Article 22, Section 22.11.D.3 of the Comprehensive Zoning Ordinance to permit a two-family residence with excessive impervious surface in the front yard, insufficient permeable open space, more than one curb cut, and a parking pad located between front façade and front lot line with insufficient setback from lot lines (**AFTER THE FACT**).

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Maximum Impervious Surface in Front Yard

Permitted: 40% Provided: 69% Waiver: 29%

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

Required: 30% Provided: 20% Waiver: 10%

Article 11, Section 11.3.B.3.a – Parking Restrictions (Location)

Required: No front yard parking

Provided: Front yard parking

Waiver: Front yard parking

Article 22, Section 22.8.A.1.b.ii – Permitted Vehicle Parking (Location)

Required: No parking pad between front façade and front lot line

Provided: Parking pad between front façade and front lot line

Waiver: Parking pad between front façade and front lot line

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

Permitted: One curb cut

Provided: Two curb cuts

Waiver: One curb cut

Article 22, Section 22.11.D.1 – Parking Pad Design (Location)

Required: No front yard or corner side yard

Provided: Front yard parking

Waiver: Front yard parking

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

Required: No parking pad between front façade and front lot line

Provided: Parking pad between front façade and front lot line

Waiver: Parking pad between front façade and front lot line

Article 22, Section 22.11.D.3 – Parking Pad Design (Front Lot Line)

Permitted: 1 ft Provided: 0 ft Waiver: 1 ft

Article 22, Section 22.11.D.3 – Parking Pad Design (Corner Side Lot Line)

Permitted: 1 ft Provided: 0 ft Waiver: 1 ft

Item 7 – Docket Number: BZA032-23

Property Location: 1 Canal Street

Bounding Streets: Canal St., Badine St., Woldenbeg Pk., Mississippi River

Zoning District: VCP Vieux Carré Park District

Existing Use: Community Facility

Proposed Use: Community Facility

Applicant or Agent: Aquarium of the Americas, Audubon Nature Institute, Christene Proctor, EskewDumezRipple, Haley Robinson

Project Planner: Laura Bryan (lbbryan@nola.gov)

Request: This request is for variances from the provisions Article 24, Section 24.13.G.3.b.i and Article 24, Section 24.13.G.3.b.iii of the Comprehensive Zoning Ordinance to permit more than one sign and wall signs with excessive area.

Requested Waivers:

Article 24, Section 24.13.G.3.b.i – Number of Signs

Permitted: One (1) sign

Proposed: Three (3) signs

Waiver: Two (2) signs

Article 24, Section 24.13.G.3.b.iii – Wall Sign Maximum Area (Bienville Street Side)

Permitted: 8 ft² Proposed: 115 ft² Waiver: 107 ft²

Article 24, Section 24.13.G.3.b.iii – Wall Sign Maximum Area (Canal Street Side)

Permitted: 8 ft² Proposed: 190 ft² Waiver: 182 ft²

Article 24, Section 24.13.G.3.b.iii – Wall Sign Maximum Area (Badine Street Side)

Permitted: 8 ft² Proposed: 216 ft² Waiver: 208 ft²

Item 8 – Docket Number: BZA033-23

Property Location: 859-861 Navarre Street

Bounding Streets: Navarre St., General Diaz St., Hildago St., Marshal Foch St.

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

Existing Use: Two-Family, Established

Proposed Use: Two-Family, Established

Applicant or Agent: Kenneth T. Junod and Yvonne M. Ramond Family Trust

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

Request: This request is for variances from the provisions of Article 21, Section 21.6.A.7 and Article 21, Section 21.6.P.2.e (Figure 21-5A) of the Comprehensive Zoning Ordinance to permit the construction a detached garage with insufficient distance from the interior side and rear lot lines.

Requested Waivers:

Article 21, Section 21.6.A.7 – Accessory Structures and Uses (Interior Side Yard Setback)

Required: 3 ft Proposed: 1 ft, 6 in Waiver: 1 ft, 6 in

Article 21, Section 21.6.A.7 – Accessory Structures and Uses (Rear Side Yard Setback)

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

Article 21, Section 21.6.P.2.e (Figure 21-5A) – Detached Garages (Interior Side Lot Line)

Required: 3 ft Proposed: 1 ft, 6 in Waiver: 1 ft, 6 in

Article 21, Section 21.6.P.2.e (Figure 21-5A) – Detached Garages (Rear Lot Line)

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

Item 9 – Docket Number: BZA034-23

Property Location: 1956 N. Prieur Street

Bounding Streets: N. Prieur St., Pauger St., N. Roman St., Saint Anthony St.

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

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: C-Hamp Rental Properties, LLC, Frank Lauricella

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: 5.38 ft Proposed: 3 ft Waiver: 2.38 ft

Item 10 – Docket Number: BZA035-23

Property Location: 2919 Sixth Street

Bounding Streets: Sixth St., S. Claiborne Ave., Washington Ave., Clara St.

Zoning District: MU-1 Medium Intensity Mixed-Use District

Existing Use: Place of Worship

Proposed Use: Place of Worship

Applicant or Agent: First Mount Calvary Baptist Church, Pastor Uyless D. Landry III, Brenda Landry

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

Request: This request is for variances from the provisions of Article 24, Section 24.12.D.2 and Article 24 Section 24.12.D (Table 24-2) of the Comprehensive Zoning Ordinance to permit a monument sign with insufficient distance from a lot line and excessive height.

Requested Waivers:

Article 24, Section 24.12.D.2 – Freestanding Signs (Setback)

Required: 5 ft Proposed: 1 ft Waiver: 4 ft

Article 24, Section 24.12.D (Table 24-2)– Freestanding Signs (Maximum Height)

Permitted: 6 ft Proposed: 7.5 ft Waiver: 1.5 ft

Item 11 – Docket Number: BZA036-23

Property Location: 1125 N. Tonti Street

Bounding Streets: N. Tonti St., Ursulines Ave., N. Rocheblave St., Gov. Nicholls St.,

Zoning District: HU-RD2 Historic Urban Two-Family Residential District RD0-2

Historic District: Tremé

Existing Use: Residential Care Facility

Proposed Use: Residential Care Facility

Applicant or Agent: Odyssey House Louisiana, Curtis Laub

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

Request: This request is for variances from the provisions Article 11, Section 11.3.B.3.a and Article 22, Section 22.8.A.1.b.ii of the Comprehensive Zoning Ordinance to permit the expansion of a residential care facility resulting in parking between the front façade and front property line and parking between the façade and corner side property line.

Requested Waivers:

Article 11, Section 11.3.B.3.a – Parking Restrictions (Location)

Required: No front yard parking

Proposed: Front yard parking

Waiver: Front yard parking

Article 22, Section 22.8.A.1.b.ii – Permitted Vehicle Parking (Location)

Required: No parking pad between front façade and front lot line

Proposed: Parking pad between front façade and front lot line

Waiver: Parking pad between front façade and front lot line

Article 22, Section 22.8.A.1.b.iii – Permitted Vehicle Parking Locations (Corner Side Yard)

Permitted: No parking between façade and corner side property line

Proposed: Parking between façade and corner side property

Waiver: Parking between façade and corner side property line

Item 12 – Docket Number: BZA037-23

Property Location: 730-732 Saint Peter Street

Bounding Streets: St. Peter St., Royal St., Toulouse St., Bourbon St.

Zoning District: VCC-2 Vieux Carré Commercial District

Historic District: Vieux Carré

Existing Use: Vacant Building

Proposed Use: Mixed-Use (standard restaurant/cultural facility)

Applicant or Agent: St. Peter FQ Holdings, LLC, Williams Architects, John Williams

Project Planner: Brennan Walters (Brennan.Walters@nola.gov)

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

Requested Waiver:

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

Required: .30

Proposed: .24

Waiver: .06

Item 13 – Docket Number: BZA038-23

Property Location: 2310 N. Prieur Street

Bounding Streets: N. Prieur St., Spain St., N. Roman St., Mandeville St.

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

Existing Use: Vacant Lot

Proposed Use: Single-Family Residence

Applicant or Agent: Joshua Davis

Project Planner: Marin Stephens (Marin.stephens@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 interior side yard setback and insufficient permeable open space.

Requested Waivers:

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

Required: 3 ft Proposed: 0 ft Waiver: 3 ft

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

Required: 30% Proposed: 19.5% Waiver: 10.5%

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

Item 14 – Docket Number: BZA039-23

Property Location: 1225 Fern Street

Bounding Streets: Fern St., Plum St., Burdette St., Oak St.

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

Historic District: Carrollton

Existing Use: Multi-Family Residence (5 Unit)

Proposed Use: Multi-Family Residence (4 Unit)

Applicant or Agent: James Logan

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. 22-28038-RNVN allowing for the renovation and conversion of a multi-family residence (5-unit with 8 bedrooms) to a multi-family residence (4-unit with 11 bedrooms) with alleged insufficient off-street parking spaces in accordance with the University Area Off-Street Parking Interim Zoning District.

Item 15 – Docket Number: BZA040-23

Property Location: 2842 Coliseum Street

Bounding Streets: Coliseum St., Washington Ave., Chestnut St., Sixth 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: Rivers Lelong

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. 21-28198-ACCS allowing for the construction of a home office with alleged insufficient distance from the lot line and the determination that a fence is not a structure for the purposes of Article 21, Section 21.6.A.7.

Item 16 – Docket Number: BZA041-23

Property Location: 6417-6419 Caldwell Drive

Bounding Streets: Caldwell Dr., Oriole St., Carlson Dr., Killdeer St.

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

Existing Use: Two-Family Residence, Established

Proposed Use: Two-Family Residence, Established

Applicant or Agent: Lake Terrace Property Owners Association, Ashley Haspel

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 subject property is a permitted use as a 2-unit Established Two-Family Dwelling in accordance with Article 20, Section 20.3.W.1.

Item 17 – Docket Number: BZA042-23

Property Location: 7417 Burthe Street

Bounding Streets: Burthe St., Cherokee St., Freret St., Lowerline 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: Les Bon Temps Ventures, LLC, James Spalt, Zach Smith Consulting & Design

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 subject property is an established multi-family dwelling and subject to Article 20, Section 20.3.W, rather than a legally non-conforming multi-family dwelling subject to Article 25, Section 25.4.C.

Item 18 – Docket Number: BZA043-23 | WITHDRAWN

Property Location: 7311 Hurst Street

Bounding Streets: Hurst St., Lowerline St., Benjamin St., Pine 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: Justin B. Schmidt, Karl Kehoe

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 issuance of permit no. 22-30265-POOL which permitted an after-the-fact construction of an in-ground swimming pool **(WITHDRAWN)**.

E. 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.

- **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: Unavailable

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 May 11, 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>
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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.